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Alta. Dept. of Lands & Forests

B R I E F S

PROPOSED WILDERNESS AREAS ACT.

Hearings: Lethbridge, Calgary,
Red Deer, Edmonton,
Grande Prairie

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JUN
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LIST OF BRIEFS

LETHBRIDGE

Attendance 208

- | | |
|--|------------------------|
| 1. The Lethbridge Chamber of Commerce | - Wilf Bouns |
| 2. Alberta Wilderness Association
Lethbridge Chapter | - Lucius L. Stebbins |
| 3. New Democratic Party
Lethbridge Constituency | - G. E. Orchard |
| 4. Alberta Federation of Home and
School Associations - Area 11 | - Mrs. Howie Puckett |
| 5. Agriculture and Conservation Board
Downtown Kiwanis | - Mrs. Howie Puckett |
| 6. James Oshiro, M.D., Coaldale | - Mrs. Howie Puckett |
| 7. Mrs. Howie Puckett | - Mrs. Howie Puckett |
| 8. Southern Alberta Regional
Boy Scouts Council | - Mrs. Howie Puckett |
| 9. Frances Schultz | - Mrs. Frances Schultz |
| 10. The Lethbridge Natural History
Society | - Mrs. Frances Schultz |
| 11. Archaeological Society of Alberta
Lethbridge Centre | - Dr. J. F. Dormaar |
| 12. James A. Farr, M.D. | - Dr. James A. Farr |
| 13. Alberta Fish and Game Association | - Joe Balla |
| 14. Safety & Health - Local 9-835 OCAW | - Fritz Wuth |
| 15. Hamilton Junior High School
Lethbridge | - Wm. Michalsky |
| 16. Mrs. W. J. Boyden | - Mrs. W. J. Boyden |

Received after Hearing

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| 17. Medicine Hat Fish & Game Association | - E. E. Scoville |
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CALGARY

Attendance 508

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|--|--------------------|
| 1. Alberta Wilderness Association | - Floyd Stromstedt |
| 2. Alberta Fish and Game Association
Parks - Access - Grazing and
Wilderness Committee | - Archie L. Hogg |
| 3. Calgary Fish and Game Association
Big Game Committee | - W. H. Perry |
| 4. Douglas Belyea | - Douglas Belyea |
| 5. Laverne R. Lunan | - Laverne R. Lunan |
| 6. Gordon H. Lunan | - Gordon H. Lunan |
| 7. Harry Sikora | - Harry Sikora |
| 8. Bow Valley Naturalists | - A. M. Schwartz |
| 9. The Alpine Club of Canada
Calgary Section | - A. M. Schwartz |
| 10. J. W. Forster | - J. W. Forster |



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20.	Alberta Chamber of Commerce	-	Mrs. ...

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CALGARY - continued

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|-----|---|---|---------------------|
| 11. | John Marsh | - | John Marsh |
| 12. | Ron Murch | - | Ron Murch |
| 13. | Grant H. McNabb | - | Grant H. McNabb |
| 14. | National & Provincial Parks
Association of Canada -
Calgary-Banff Chapter | - | Robert Scace |
| 15. | Else Holz | - | Else Holz |
| 16. | R. W. Sloan, B.Sc., M.Sc. | - | R. W. Sloan |
| 17. | Alfred L. Harris | - | Alfred L. Harris |
| 18. | Alpine Club - Calgary Section | - | Linda Jones |
| 19. | Jens Pedersen | - | Jens Pedersen |
| 20. | Alberta Fish and Game Association | - | T. J. O'Keefe |
| 21. | Federation of Alberta Naturalists | - | Dr. M. T. Myres |
| 22. | Dr. Kenneth J. Stevenson | - | Dr. K. J. Stevenson |
| 23. | D. E. E. Cronkhite | - | D. E. E. Cronkhite |
| 24. | Ron Davis | - | Ron Davis |
| 25. | Calgary Chamber of Commerce
National and Provincial
Parks Committee | - | Fred L. Scott |
| 26. | Calgary Fish and Game Association | - | B. Berg |
| 27. | Calgary Fish and Game Association | - | J. E. Heather |
| 28. | Dr. Richard Pharis | - | Dr. Richard Pharis |
| 29. | Ray Hopland | - | Ray Hopland |
| 30. | The Calgary Field Naturalists'
Society | - | R. T. Ogilvie |
| 31. | Terry McKay | - | Terry McKay |
| 32. | A. F. Jacobs, M.Sc., P. Geol. | - | A. F. Jacobs |
| 33. | M. E. Simpson, P. Eng. | - | M. E. Simpson |
| 34. | Jerrel L. Wilkens | - | Jerrel L. Wilkens |
| 35. | Skyline Trail Hikers of the Canadian
Rockies | - | Robert C. Scace |
| 36. | National Parks Association | - | Robert C. Scace |

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| 37. | Dr. J. Jansonius & Dr. S.A.J. Pocock | - | Dr. J. Jansonius |
| 38. | Mr. J. F. S. Anderson | - | J. F. S. Anderson |
| 39. | Vicky Ormstrup | - | Vicky Ormstrup |
| 40. | O. A. Jansen | - | O. A. Jansen |
| 41. | D. J. Welbourn | - | D. J. Welbourn |
| 42. | Mr. & Mrs. F. C. Jensen | - | Mr. & Mrs. F. C. Jensen |
| | Mr. & Mrs. R. P. Johnson | - | |

RED DEER

Attendance 161

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|---|------------------------|
| 1. Lacombe Fish & Game Association | - Orest S. Schur |
| 2. John G. Towle | - John G. Towle |
| 3. Rocky Mountain House Chaber
of Commerce | - Dennis Chevallier |
| 4. Carl D. K. Ringness | - Carl D. K. Ringness |
| 5. C. R. Chandless | - C. R. Chandless |
| 6. Jerry Sanderson | - Jerry Sanderson |
| 7. Miss W. Helen Hunley | - Miss W. Helen Hunley |
| 8. Miss Marion McEwen | - Miss Marion McEwen |
| 9. Rimbey Fish & Game Association | - Norman Benson |
| 10. Alberta Fish and Game Association | - J. E. Carr |
| 11. Dr. G. A. Hill | - Dr. G. A. Hill |
| 12. James A. Proudfoot | - James A. Proudfoot |
| 13. Alder Flats Fish and Game Association | - Bob Scammell |
| 14. Iron Creek Fish and Game Association | - Bob Scammell |
| 15. Ivor E. V. Caddy | - Ivor E. V. Caddy |
| 16. Alberta Fish and Game Association | - Robert H. Scammell |
| 17. Elmer Kure | - Elmer Kure |
| 18. W. Windsor | - W. Windsor |
| 19. Myrtle Raivio | - Myrtle Raivio |
| 20. Kerry Wood, L.L.D. | - Kerry Wood |
| 21. Alberta Natural History Society | - Mrs. E. M. Scoular |
| 22. Kenneth Raivio | - Kenneth Raivio |
| 23. Stanley Pearson | - Stanley Pearson |
| 24. Clarence Raivio | - Clarence Raivio |
| 25. Chester Sands | - Chester Sands |
| 26. Henry Lembicz | - Henry Lembicz |
| 27. Gladys Lembicz | - Gladys Lembicz |
| 28. Miss Lenora McCuaig | - Miss Lenora McCuaig |
| 29. Alberta Wilderness Association | |
| Innisfail Fish and Game
Association | - Bill Ditchburn |
| 30. John E. McCoy | - John E. McCoy |
| 31. Otto Benuik | - Otto Benuik |

Received after Hearing

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| 32. G. S. Fuzzell | - G. S. Fuzzell |
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EDMONTON

Attendance 210

- | | |
|---|-------------------------|
| 1. Alberta Federation of Labour, CLC | - Eugene Mitchell |
| 2. Defenders and Wardens of Nature | - Jane C. Weaver |
| 3. Defenders and Wardens of Nature | - D. Roles |
| 4. Alberta Forest Products Association | - Bill Nigro |
| 5. National & Provincial Parks Association
of Canada - Edmonton Chapter | - Denis O'Malley |
| 6. Vegreville Fish and Game and Gun Club | - A. G. Elder |
| 7. Canadian Family Camping Federation | - Leonard C. Barrett |
| 8. Canadian Committee for the International
Biological Program | - Andrew D. Raszewski |
| 9. Alberta Fish and Game Association | - Gordon Peel |
| 10. Alberta Wilderness Association
Edmonton Chapter | - B. E. Stromstedt |
| 11. Canadian Institute of Forestry | - A. D. Kill |
| 12. B. J. Mitchell | - B. J. Mitchell |
| 13. Alberta Professional Guides and
Outfitters Federation | - Don Chapman |
| 14. The Canadian Society of Wildlife
and Fisheries Biologists
- Alberta Chapter | - R. P. Heron |
| 15. The St. Albert and District Fish
and Game Association | - Gordon Stretch |
| 16. Marwayne Fish and Game Association | - L. C. Payne |
| 17. The Conservation Fraternity of Alberta | - Edwin A. Jellis |
| 18. The Edson Fish and Game Association
and Gun Club | - Robert Tanghe |
| 19. Conservation Committee - Alpine Club
of Canada - Edmonton Section | - Mrs. Valarie Stephens |
| 20. Mrs. Dianne Hayley | - Mrs. Dianne Hayley |
| 21. D. Cormie | - D. Cormie |
| 22. Jasper Fish and Game Association | - Harry A. Lyseyko |
| 23. Carl R. Surrendi | - Carl R. Surrendi |
| 24. H. A. Fedoriak - Edmonton City Police
Fish & Game Association | - H. A. Fedoriak |
| 25. A. K. Zimmer | - A. K. Zimmer |
| 26. Sportsman's Travel Service Ltd. | - J. Peter Benson |

GRANDE PRAIRIE

Attendance 84

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| 1. The Wapiti Fish & Game Association | - Stan Griffiths |
| 2. City of Grande Prairie and the
City Parks & Recreation Board | - Max Henning |

GRANDE PRAIRIE - continued

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|-----|--|---|---------------------|
| 3. | The Grande Prairie Gymkhana Club | - | Marie Henning |
| 4. | North Canadian Forest Industries Limited | - | Roy Bickell |
| 5. | Bob Wynnnychuk | - | Bob Wynnnychuk |
| 6. | Peter Reese | - | Peter Reese |
| 7. | Adrien J. Trepanier | - | Adrien J. Trepanier |
| 8. | Grande Prairie River Rats Association | - | Mervyn F. Lewis |
| 9. | Grande Prairie Chamber of Commerce | - | C. E. Collins |
| 10. | J. B. Arnott | - | J. B. Arnott |
| 11. | Peace River Stock Growers Association | - | Ben Smashnuk |
| 12. | John B. Milne | - | John B. Milne |
| 13. | E. Kimpe | - | E. Kimpe |
| 14. | Canadian Wolf Defenders | - | Robert C. Guest |

PROPOSED WILDERNESS AREAS ACT

BRIEFS PRESENTED AT

LETHBRIDGE

JULY 28, 1970

1

Mr. Wilf Bouns

BRIEF TO THE COMMITTEE ON BILL 106
AN ACT RESPECTING WILDERNESS AREAS

PRESENTED JULY 28th, 1970

BY

THE LETHBRIDGE CHAMBER OF COMMERCE,
LETHBRIDGE, ALBERTA.

Mr. Chairman and honourable members of this committee, the Lethbridge Chamber of Commerce welcomes and thanks you for the opportunity to put forth some of our thoughts to you.

The Lethbridge Chamber of Commerce commends the Provincial Government for their concern with respect to wilderness areas and the proposed Bill 106, " AN ACT RESPECTING WILDERNESS AREAS".

While the Lethbridge Chamber of Commerce feels there is merit in setting aside Wilderness Areas, we at the same time recognize that mankind must be beneficially served, not only by Wilderness Areas, but also by areas for the purpose of Natural Resource exploration and/or operations.

With respect to the proposed Act, the Lethbridge Chamber of Commerce shares some of the concerns of the Alberta Wilderness Association; the Alberta Fish and Game Association; the Lethbridge Natural History Society; Mr.J.Balla, Immediate Past President of the Alberta Fish and Game Association; and other interested citizens.

The proposed Act, in its present form, does not clearly state its intent as to purpose, for example:

1. In Section 5, the word "may" appears which seemingly indicates a desire to be able to "back off" if the pressure becomes too great.
2. Sections 7 and 9 of the proposed Act would provide the Minister with too much power, allowing him to act without consultation with any other persons or bodies.
3. The proposed Act, in its present form, is contradictory, in that Section 9 is a direct contradiction of Section 4.

The Lethbridge Chamber of Commerce also believes /

that areas to be designated should be done by legislative assent rather than by the Lt. Governor in Council.

We therefore firmly believe that the proposed Act needs a thorough re-doing prior to becoming operative.

Further, and in conclusion, we feel that indiscriminate allotting of leases for the purpose of Natural Resource exploration and/or operations, of the nature that would tend to desecrate these areas, should be held in abeyance until the said Act has been made legislation.

RECOMMENDATIONS FOR BILL 106 AS SUGGESTED BY
LETHBRIDGE CHAPTER, ALBERTA WILDERNESS ASSOCIATION

1970

Mr Lucius L. Stebbins

SECTION 1. As in Section 1 of Bill 106

SECTION 2. Subsections(a),(b) and (c) as in Bill 106

(d) "wilderness area" means public lands of any size permanently reserved by an act of legislature whose location, purpose, and use shall be as stipulated in the following document.

(e) "private land" means land not owned by the crown in right of Alberta.

SECTION 3. (1) The public lands within the areas described in a Schedule promulgated by the Legislature are hereby established as wilderness areas.

(2) As in Section (3), subsection (2), of Bill 106

SECTION 4. The purpose of wilderness areas shall be to present and preserve natural environment, retaining where possible its primeval character and influence.

SECTION 5. (1) The Lieutenant Governor in Council shall establish a committee called the "Advisory Committee on Wilderness Areas", consisting of five members. The Lieutenant Governor in Council shall name two members. Three other members shall be appointed by a joint committee representing the several conservation groups in the Province of Alberta.

(2) Terms of appointment shall be two years for all appointees.

(3) The chairman, who must be a trained ecologist, will be chosen by the Advisory Committee on Wilderness Areas.

(4) The Lieutenant Governor in Council shall authorize, fix, and provide for the payment of remuneration and expenses to any of the members of the Advisory Committee who are not employees of the Government.

(5) The Advisory Committee shall meet at the call of the chairman or a majority of its members.

(6) The Advisory Committee shall from time to time consider and make recommendations to the Minister for:

(a) establishing a new wilderness area, or

- (b) adding lands to an existing wilderness area, or
 - (c) awarding compensation determined under Section 8, subsection (3), or
 - (d) matters related to Section 7
- (7) The Minister shall be required to accept, publish and present to the Legislature the recommendations of the Advisory Committee.

SECTION 6. The Advisory Committee shall hold public hearings at least twice a year or more often as required, one north of Twp's 42 and one south of Twp's 42 in the Province of Alberta, for the purpose of receiving and hearing submissions and representations respecting

- (a) As in Section 6, subsection (a), of Bill 106
- (b) any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any lands to an existing wilderness area.

SECTION 7.

- (1) The Minister in consultation with the Advisory Committee shall cause the establishment of a Wilderness Areas Administration. This administrative body shall
- (a) be a branch of the Division of Fish and Wildlife
 - (b) include a category of Provincial Naturalists, each of whom shall be the holder of at least a Bachelor's degree with substantial training in ecological studies
 - (c) make provision for at least one resident Provincial Naturalist per wilderness area
 - (d) make provision for junior personnel and laborers as required
 - (e) make provision for the accomodation of Wilderness Areas personnel and public parking adjacent to each wilderness area. These supporting facilities shall be collectively referred to as "staging areas". Staging areas may not be located within the confines of a wilderness area.
- (2) The Wilderness Areas Administration shall formulate and carry or cause to be carried out measures or programs in a wilderness area, or approve and supervise the carrying out by other persons of measures or programs in a wilderness area for
- (a) the preservation of plant and animal life indigenous to the wilderness area
 - (b) the maintenance of stable watershed conditions
 - (c) ecological and other scientific research that does not involve any physical disturbance of the area
 - (d) the preservation and protection of the wilderness area and for any other purpose for which wilderness areas are established
 - (e) the elimination of activities which are contrary to "The Wilderness Areas Act".

- SECTION 8.
- (1) No disposition or expropriation shall be made by or on behalf of the Crown of any estate or interest in public lands in a wilderness area by any Provincial Act.
 - (2) Where there has been any previous disposition of any estate or interest in public lands or there are any private lands in a wilderness area, the Advisory Committee on Wilderness Areas shall expropriate these estates or interests in public lands or the private lands.
 - (3) Where estates or interests in public lands or private lands are expropriated under Section 8, subsection (2), the person or persons who are subject to such expropriation shall be entitled to compensation. Such compensation shall be determined by a hearing before the Advisory Committee on Wilderness areas.

- SECTION 9. The following restrictions shall apply to all continuing development as allowed under Section 8, subsection (3).
- (1) No exploratory activity shall be allowed in wilderness areas.
 - (2) After December 31, 1990, compensation allowed under Section 8, subsection (3) shall not include the working of mines, oil or gas wells or the extraction of any natural resources.
 - (3) Compensation allowed in Section 8, subsection (3) shall not include the cutting or removal of timber in any wilderness area.
 - (4) All construction of roads, pipelines, buildings, and other types of construction or excavation allowed as compensation under Section 8, subsection (3), shall be under the advice and control of the Wilderness Area Administration.
 - (5) The Wilderness Area Administration shall be empowered to halt immediately any activities associated with continuing development allowed as compensation under Section 8, subsection (3), when such activities are contrary to the Wilderness Area Act.
 - (6) All persons or groups of persons conducting any sort of activity as allowed under Section 8, subsection (3) shall provide for re-landscaping and re-establishment of natural plant and soil cover under supervision of the Wilderness Area Administration.

SECTION 10. As in Section 10 of Bill 106.

SECTION 11. (1) Subject to subsection (2) no person shall;

- (a) operate any motor driven machines or wheeled vehicles in a wilderness area except as indicated by Section 8, subsection (3) or Section 11, subsection (2).
- (b) leave litter, garbage, or refuse in a wilderness area.
- (c) fly an aircraft lower than 2000 feet above the highest point in a wilderness area, except as in Section 11, subsection (2) (b).

(2) The following acts are permitted in a wilderness area:

- (a) the carrying out of measures or programs authorized under Section 8, subsection (3).
 - (b) the use of any means of transportation and equipment in connection with enforcing the Wilderness Act or meeting emergencies involving the safety of persons as directed by the Wilderness Area Administration.
 - (c) travel by horse and grazing by same horses under supervision and control of the Wilderness Area Administration.
 - (d) hunting and fishing as permitted under existing regulations of the Fish and Wildlife Division of the Department of Lands and Forests.
-
- (e) the Wilderness Areas Administration may locate and maintain hiking trails.

(3) Any person who contravenes Section 11, subsection (1) is guilty of an offence and liable on summary conviction to a fine of not less than \$150.00 and more than \$1500.00 and restitution of any damage caused. In default of payment, the person will be liable to imprisonment for a term of not more than 60 days.

SECTION 12. Any person who, without lawful justification or authority, destroys or damages or pollutes any land, water, plant life or animal life in a wilderness area is guilty of an offence and liable on summary conviction, to provide for restitution of any damage caused and

- (a) for the first offence, to a fine of not less than \$150.00 and not more than \$1,000, and in default of payment to imprisonment for a term of not more than 60 days,

- (b) for a second offence, to a fine of not less than \$100 and not more than \$5,000 and in default of payment to imprisonment for a term of not more than 120 days,
- (c) for a third or subsequent offence
 - (1) in the case of a natural person to imprisonment for a term of not less than one month and not more than six months, or
 - (11) in the case of a corporation, to a fine of not less than \$10,000 and not more than \$50,000 per day until illegal activity ceases, and
 - (111) imprisonment of responsible company officials as in (1).

SECTION 13. The Minister, in consultation with the Wilderness Area Administration, may prohibit or restrict travel in a wilderness area during any period.

SECTION 14. Where there is a conflict between the provisions of this Act and anything contained in any grant, conveyance, lease, license, or other instrument, whether made before or after the coming into force of this Act with respect to the right of entry, uses or taking of the surface of any land incidental to any mining or drilling operations, the provisions of this Act prevail.

SECTION 15. As in Section 14, Bill 106.

Mr. G.E. Orchard

A brief presented on behalf of the Lethbridge Constituency
New Democratic Party
at the Public Hearing
concerning
BILL 106

July 29, 1970

The problem of environmental control has been attracting much public attention, and the present Bill 106 is a welcome response to public demand. However, the Bill does not sufficiently safeguard the interests of the public. Pollution and the attrition of the natural environment are not the inevitable concomitants of civilization and industrialization. It is a function of the profit system under capitalism, where in the quest for corporate profits the welfare of the people all too often takes second place. The following amendments are therefore suggested, in order that the Bill when enacted be properly effective :-

(1) A Wilderness Area, once designated, should in principle be so designated in perpetuity, and the right of the people to it be considered inalienable. It is therefore imperative that the matter be debated by the elected representatives of the people, and that any change or amendment to the schedule of designated lands take place in the Legislature, and not by Order in Council.

(2) The composition of the Advisory Committee on Wilderness Areas be specified by the Act in order that the said Committee have a meaningful function. There should be a specific number of members on the Committee, a majority of whom should be impartial experts in the environmental sciences. The Lieutenant-Governor in Council should preferably enlist the aid of organizations formed for the purpose of furthering the interests of environmental control. The members of the Advisory Committee should also be appointed for a specific

term of office.

(3) The Public Hearings held under the auspices of the Advisory Committee should be held at least annually in several locations, so as to be accessible to as wide a geographical distribution of the population as possible.

(4) In order to secure the more efficient operation of the proposed Act, it is highly desirable that at least one Provincial Naturalist be appointed for each Wilderness Area. Such a person should be well qualified to advise on proper measures for the safeguarding of the essential character of the designated Wilderness Area.

(5) Section 8 of the proposed Act should be interpreted as having precedence over the Right of Entry Arbitration Act. Commercial exploration for mineral and other natural resources in designated Wilderness Areas should be prohibited, all previous Acts of the Legislature notwithstanding. Existing leases in Wilderness Areas should not be renewable on expiry, and a definite terminal date should be set for all existing leases, with appropriate compensation.

(6) The penalties under Section 11 (3) of the proposed Act are totally inadequate. Since the land in question will be public property, and hence the property of the Crown, damage thereof should be regarded as an extremely grave offence, with penalties according thereto.

Respectfully submitted,

G. E. ORCHARD

on behalf of the

Alberta New Democratic Party,

Lethbridge Association.

4

Mrs Howie Puckett

RECOMMENDATIONS REGARDING
BILL 106:
AN ACT RESPECTING WILDERNESS AREAS

AS SUBMITTED BY
AREA 11
ALBERTA FEDERATION OF HOME
AND SCHOOL ASSOCIATIONS

PRESENTED BY MRS. HOWIE PUCKETT, VICE-PRESIDENT, ST. PATRICK'S
HOME AND SCHOOL ASSOCIATION.

SECTION 4: insertion of the word, "permanently" after the phrase "For the purpose of" and the insertion of the word, "properties" as a substitute for the word, "beauty" to read: "wilderness areas are established for the purpose of permanently preserving their natural properties and wilderness character" and further, insertion of "resource extraction abuse" after the word, "settlement" in the second phrase, to read: "and protecting them from impairment, settlement, resource extraction abuse, and industrial development" concluding unchanged.

SECTION 5: (1) substitution of the word "shall" for the word, "may" to read: "The Lieutenant Governor in Council shall establish" concluding as written until the phrase, "of five or more members" where the words, "or more" should be deleted concluding as written until the word, "chairman" where the phrase, "who shall be a trained ecologist" should be added.

(3) substitution of the word, "shall" for the word, "may" to read: "The Lieutenant Governor in Council shall authorize, fix, and provide" concluding unchanged.

(5) (c) to be deleted as written and replaced with the statement, "matters pursuant to Section 7."

SECTION 6: Under (b), deletion of the phrase, "or the withdrawal of any lands from" and replacement with, "or matters pursuant to Section 7 regarding" to read: "(b) any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any lands to, or matters pursuant to Section 7 regarding, an existing wilderness area."

SECTION 7: insertion of the phrase, "in consultation with the Advisory Committee" after the word, "Minister" to read: "The Minister, in consultation with the Advisory Committee, may carry out or cause to be carried out" concluding as written.

SECTION 8: addition of the word, "and" at the close of sentence (b), subsection (2), and the addition of the statement, "(c) where the terms of the disposition do not contravene the provisions of Section 4."

SECTION 9: to be deleted as contravening the provisions of Section 4, and the provisions of Section 7: (a) and (d).

SECTION 11: addition of the phrase, "use any motorized or powered equipment of any kind, or" following the last use of the word, "or" in subsection (1) (a); addition of the phrase, "fly below 2,000ft. above the highest elevation in a wilderness area, or" following the word, "or" in subsection (1) (c).

SECTION 12: addition of the phrase, "liable for restitution and reclamation procedures" after the word, "offence" in the opening statement; and addition of a comma after the word, "offence."

SUPPORTING TEXT FOR RECOMMENDATIONS
REGARDING BILL 106:
AN ACT RESPECTING WILDERNESS AREAS

SUBMITTED BY
AREA 11
ALBERTA FEDERATION
OF
HOME AND SCHOOL
ASSOCIATIONS

PRESENTED BY MRS. HOWIE PUCKETT, ~~VICE~~-PRESIDENT, ST. PATRICK'S
HOME AND SCHOOL ASSOCIATION.

A fundamental objective of the Alberta Federation of Home and School Associations is the promotion of the welfare of youth and children. It is in keeping with this basic commitment that Area 11 of the Federation has chosen to present a brief tonight. The Association, composed of parents and teachers, is not only concerned with the well-being of children in the schools, but with this aspect of their lives in the larger social and physical environment as well. A broad spectrum of publications in recent months has stressed and illuminated the vast environmental difficulties which now face the world community of Man. The Saturday Review of May 2, 1970 soberly reflected that "the human habitat is in jeopardy." ¹ Prof. Knelman of Sir George Williams University has stated that "as a consequence of the blind pursuit of profit...we are faced with an ecological crisis." ² Everyone, everywhere, has become aware of the growing desperation of the situation.

At the present moment, the Government of the Province of Alberta has a special opportunity to initiate and undertake a positive step in this regard through legislation respecting wilderness areas in Alberta. There is an obvious need for such areas today. Human beings living in pressure-ridden, modern society urgently require the solace of nature -- the stillness of a mountain lake, the wonder of a forest, the sight and sound of woodland animals -- to balance the temper of their lives. Children growing up in a man-made setting have need of other vistas to deepen their understanding of reality and broaden their education -- material which only Nature can provide in the amphitheatres of unspoiled creation.

Our concern regarding the Bill under discussion is that, as it stands, there are no clear, sturdy provisions for the continued protection of wilderness against industrial exploitation which destroys these areas -- areas which are beyond the ability of man to create or replace. Further, Area 11 of the Federation believes that any bill pertaining to wilderness as such, or its use, must make provision for over-riding ecological indications in a given area ^{and} The importance of basic ecological considerations to occupy a primary place in the hierarchy of values.

Buckminster Fuller's concept of Earth as a spaceship supplies a more rational basis for the human use of natural resources than does the more generally widespread view of Earth as something to be plundered indiscriminately by Man. In the long run, recognition of Nature's limitations, and the iron laws which govern the consequences of its desecration, will insure a fitting environment for the children of Alberta.

References:

1. Editorial, "Affluence and Effluence," in Saturday Review, May 2, 1970, p. 53
2. Newspaper clipping, "Pollution 'social murder'" by Carl Law, Edmonton Journal, June 3, 1970.

ADDENDUM COPY

from Time, June 29, 1970, pp. 6-11

"DEATH OF A DELTA"

"It will bring the greatest prosperity this province has ever known -- la dolce vita for all our people," glowed British Columbia's W. A. C. Bennett three years ago. He was speaking of the \$108 million hydro project and huge earth-fill dam that is named after himself on B. C.'s northern Peace River. Today, while few British Columbians may have regrets about the project, the pleasure of neighboring Albertans is distinctly alloyed. For the price of progress has been ecological mayhem in the 1,000 sq. mi. of the Peace-Athabasca Delta, a marshy wildlife sanctuary 725 miles downstream from the W. A. C. Bennett Dam. Last week a 20-page report titled simply Death of a Delta landed on Alberta Premier Harry Strom's desk, describing the dimensions of the disaster. On its cover is an aerial photograph of Mamawi Lake. At one time a shallow, meadow-fringed lake, it is now a desolate, forbidding desert.

The delta was once the lush home of beaver and muskrats, a staging post for more than 250,000 duck and 300,000 geese, and a natural habitat for North America's largest herd of wild wood bison in Wood Buffalo National Park. The reason for the change is so obvious that it could have been -- and in fact was -- predicted in advance. The dam, combined with two years of poor rainfall, has lowered the level of Lake Athabasca by five feet. It has brought an end to the spring flooding, the annual trans- fusion of life that inhibits willow growth, encourages grass growth along the shore line, and fills in potholes, sloughs and small lakes. As a result, the marshes have become so shallow that they freeze completely in winter, driving out the muskrat and beaver. The animal exodus is further speeded by the disappearance of horsetail, the primitive, silica-rich plant that nourishes geese, duck and muskrats. Sedge, the sharp- edged grass-like plant that sustains wood bison in the winter, is also being replaced by the encroaching willow ecology. Concludes Death of a Delta: "What was once a fascinating and varied natural complex of lake and marsh is fast becoming a succession of isolated mud flats."

Nor do the losses affect only wildlife. Says Frank Ladouceur, a Metis from Fort Chipewyan who has been trapping in the area for 40 years: "The delta is dying because man defied nature rather than working with it." Most of the 240 trappers and fishermen who depend on the delta have been forced onto welfare. Stanley Daniels, president of the Metis Association of Alberta, last month wrote Premier Strom: "As it now stands, B. C. is reaping millions of dollars as a result of the Bennett dam project without any concern for detrimental downstream effects. This appears to be another case of the native people getting it in the neck in the name of progress."

When the site for the dam was first chosen some eleven years ago, no real ecological studies were carried out. But in 1966, a year before the project was completed, Dr. S. B. Smith, director of the fish and wildlife service of Alberta's Department of Lands and Forests, predicted the ecological upheaval, and later urged that steps be taken to prevent the level of Lake Athabasca from falling by blocking the Riviere des Rochers. The idea was dismissed as impractical. Now, the delta report once again recommends the damming of the river to "raise lake levels sufficiently to halt the explosive ecological changes now occurring." Furthermore, Alberta "should demand restoration of the status quo ante from those who knowingly or unknowingly caused the damages." Adds Director Smith: "We've been harping on this for years. Now they've got to listen. For a change the engineer will have to listen to the biologist, and it's a change for the better."

Excerpts from "Environment: While There Still Is Time," Time, June 29, 1970, pp. 6-11.

"...The issue is this: at what stage do the trappings of technological society turn into an insupportable version of Mark Twain's 'all the modern inconveniences'? And how far can the despoliation of the environment be justified in the name of the gross national product?

Until recently, it was considered rank heresy to question the theology of growth (and, to a large extent in B. C., it still is). Even less was it thought that Canada could ever run out of room for more and more people industriously practicing the Puritan ethic of production while pursuing the more modern virtue of consumption...

To those who have surveyed Canada's vastness, the land appears to be blessed with infinite physical resilience. Yet that illusion, too, is fast disappearing. Airline pilots on polar routes now report a grey-orange tinge in layers of air over the empty fastness of the Arctic. They say it is smog. Biologists have discovered chlorinated hydrocarbons in the fat of Arctic polar bears, telltale evidence of the wind-borne persistence of DDT. In place of the traditional image of a land of unlimited largesse, there is a quite different way of looking at Canada. It is as an industrialized nation still with time to call a halt to the cluttering of the landscape, with an excellent opportunity to overcome the crowding threats to its natural heritage. "Canada is lucky. We have a chance to read the breakdown signals and do something about them," says University of British Columbia Ecologist Crawford S. Holling. Like Dr. Holling, environmentalists who preach the new crusade, believe it can be won only with a basic shift in social values. Dr. Arthur Cordell, an economic adviser to Ottawa's Science Council, puts the point vividly: "Growth for growth's sake is the ideology of the cancer cell."

...The P. M. saw the option in Thoreauvian terms: "Life is not enriched if the cost of new automobiles and miracle synthetic products is fouled atmosphere and polluted rivers...The issue is not simply one of litterbugs, or of offensive smells, as some industrialists would have us believe. The issue is one of life itself."

*

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*

...The main obstacle is the reluctance of the average rate-payer, who until recently has been unwilling to go along with the discovery of the animals in Walt Kelly's Pogo that 'we have met the enemy and he is us.'

...The Canadian Wildlife Service has compiled a list of 72 endangered species and geographic populations in Canada. Among the vanishing breeds:

* The peregrine falcon...What is killing the falcon, along with the bald eagle, the osprey and Richardson's pigeon hawk, is the persistence of insecticides based on chlorinated hydrocarbon compounds, chief of which is DDT.

* In Newfoundland (but not the Arctic), the Arctic Hare has nearly been driven out by the competition for food from the varying hare and the moose, both introduced by man...

* On lonely Sable Island, off the coast of Nova Scotia, the Ipswich Sparrow...Four thousand of the sparrows survive, but they face at least one inexorable threat: the island is sinking into the sea at a rate of half an inch a century.

Of all Canada's citizen activists, perhaps the most effective is Pollution Probe's Donald Chant...Chant is careful not to put all the blame on scapegoats. 'Industry is catering to the desires of all of us,' he says, 'But industry is defensive, reluctant, uses specious arguments to defend its record: it will not take effective action unless forced into it by government.'

...There is also obvious need for far more sensitive coordination of environmental policies within and between governments at all levels...

...Says John Gordon, a senior civil servant in the Department of Indian Affairs and Northern Development: 'The realities of hard politics are that, inevitably, the measures necessary to save our environment are going to run against the grain of other expectations. We are going to have to question the size and speed of our cars, whether every damn thing in the world has to be encased in a plastic bag and whether private property rights extend to all the things we have been used to thinking they do.'

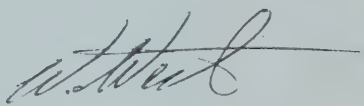
...Unless there is a conscious effort toward new approaches, most Canadians may one day find themselves living in a drab, chaotic world that nature never evolved and man never really intended."

Mrs. Howie Puckett

July 28, 1970

TO WHOM IT MAY CONCERN

Downtown Kiwanis endorses the position and
recommendations of the Alberta Wilderness Association
with respect to the Provincial Bill 106.

W. West 
Chairman
Agriculture and Conservation Board
Downtown Kiwanis

July 28, 1970

TO WHOM IT MAY CONCERN

This letter will authorize Mrs. H. PUCKETT
of 613 - 9th Avenue South to submit and endorse
for the Downtown Kiwanis.

W. West 
Chairman
Agriculture and Conservation Board
Downtown Kiwanis

Coaldale, Alta.,

July 21, 1970.

(6)

BRIEF RE PROPOSED WILDERNESS AREAS ACT

Mrs Howie Packett
8:15 PM.

Sirs:

I would like to commend the Government of this Province for giving its citizens the opportunity to comment on the proposed Wilderness Areas Act. I believe it essential that we move now towards the creation and preservation of significant areas of land designated as Wilderness Areas, preserved as far as possible in their natural state, purely for the enjoyment of people. The proposed Act does much to accomplish this end. In creating these Areas we may earn the gratitude of future generations for our vision, even as we thank those who, with far-seeing wisdom, helped to create our National Parks.

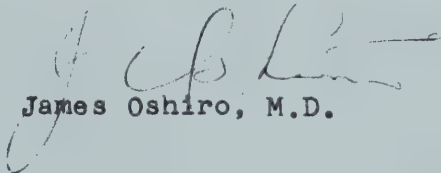
I do not know of any area of land in Southern Alberta which, by the stroke of the legislative pen, can be turned into a Wilderness Area, for nothing has escaped the encroachment of man. In creating such areas we are firstly faced with the problem of preventing further commercial development and instituting reclamation procedures. Secondly, I do not believe that Wilderness Areas can be adequately maintained without regard to developments permitted in surrounding areas for watersheds, ecology of plant and animal life etc, are bound to be interrelated.

This leads me to suggest that what is vitally required is an arm of Government known as a Land Conservation Board, empowered to receive all applications for land use whether mining, lumbering, grazing, fishing, hunting, recreation, or the introduction of new species of plant or animal life, to oversee the use and development of all Crown Lands, to develop standards of use and controls to minimize destruction and pollution in those areas where commercial development is allowed and empowered to enforce these standards. In creating this Board we recognize the many legitimate interests in our natural resources and yet create a coordinating body with power to regulate and enforce controls.

2.

Finally, and perhaps most important of all, we are in need of a concerted and continuing educational program instituted by Government, directed at all citizens, both individual and corporate, to remind us that we are trustees of a precious legacy, that this land is not ours to use, abuse, deface and destroy, but a heritage to develop and enjoy to its fullest, and to pass on to future generations without shame or regret. Without the development of this most important philosophy I am afraid all our efforts will go for naught.

Thank you for the privilege of presenting this brief.



James Oshiro, M.D.

7

RECOMMENDATIONS REGARDING
BILL 106
AN ACT RESPECTING WILDERNESS AREAS

SUBMITTED BY

MRS. HOWIE PUCKETT
613 9th Ave. So.
Lethbridge

8.20 Rd.

SECTION 3: substitution of the phrase, "an Act of the Legislature" for the phrase, "the Lieutenant Governor in Council."

SECTION 4: insertion of the word, "permanently" after the phrase, "for the purpose of" and the insertion of the word, "properties" as a substitute for the word, "beauty" to read: "wilderness areas are established for the purpose of permanently preserving their natural properties and wilderness character" and further, insertion of the statement "resource extraction abuse" after the word, "settlement" in the second phrase, to read: "and protecting them from impairment, settlement, resource extraction abuse, and industrial development" concluding unchanged.

SECTION 5: (1) substitution of the word, "shall" for the word, "may" to read: "The Lieutenant Governor in Council shall establish" concluding as written until the phrase, "of five or more members" where the words, "or more" should be deleted, concluding as written until the word, "chairman" where the following should be added: "who shall be a trained ecologist, and further, that a minimum of two and a maximum of three members shall be chosen from a list of nominees selected by a joint committee of interested environment and conservation association and societies in Alberta."

(3) substitution of the word, "shall" for the word, "may" to read: "The Lieutenant Governor in Council shall authorize, fix, and provide" concluding unchanged.

(4) at the close of the sentence, the addition of the phrase, "or the formal request of a majority of the members of the Advisory Committee."

(5) (c) to be deleted as written and replaced with the statement, "matters pursuant to Section 7."

SECTION 6: after the word, "representations" the addition of the statement, "either posted to the hearing or presented personally" followed by the word, "respecting" as provided; under (b), deletion of the phrase, "or the withdrawal of any lands from" and replacement with, "or matters pursuant to Section 7 regarding" to read: "(b) any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any lands to, or matters pursuant to Section 7 regarding, an existing wilderness area."

SECTION 7: insertion of the phrase, "in consultation with the Advisory Committee" after the word, "Minister" concluding as written.

SECTION 8: addition of the word, "and" at the close of sentence (b), subsection (2), and the addition of the statement, "(c) where the terms of the disposition do not contravene the provisions of Section 4."

SECTION 9: to be deleted as contravening the provisions of Section 4, and the provisions of Section 7, (a) and (d).

SECTION 11: addition of the phrase, "use any motorized or powered equipment of any kind, or" following the last use of the word, "or" in subsection (1) (a); addition of the phrase, "fly below 2,000 ft. above the highest elevation in a wilderness area, or" following the word, "or" in subsection (1) (c).

SECTION 12: addition of the phrase, "liable for restitution and reclamation procedures" after the word, "offence" in the opening statement, and addition of a comma after the word, "offence" and further, under subsection (6) (ii), the addition of the statement, "to continue on a daily basis until the unlawful activity ceases and imprisonment of corporation officials responsible for the authorization of said damage for a term of not less than one month and not more than six months."

SUPPORTING TEXT
FOR RECOMMENDATIONS
REGARDING BILL 106

SUBMITTED BY
MRS. HOWIE PUCKETT
613 9th Ave. So.
Lethbridge

One of the essential principles of the democratic form of government in modern times is the belief in the maxim of the "common good." Past generations of government policies on this continent appear to have supported the philosophy that the common good is fundamentally tied to the concept of material and financial security alone. As a consequence, rapid and rampant industrial and technological development was encouraged and, in some cases, even subsidized by governments. The rationale had been that as nations grow richer, their people grow richer as well. While this philosophy has some reality for short-term benefit, essentially the results over generations are critical. The intensive exploitation of limited resources, and the abuse of the natural environment dooms future generations to material scarcity and ecological chaos. A material definition alone of the common good leads nowhere but to eventual poverty.

At the root, there is a basic misconception of the natural order, an "ignorance of Nature," ¹ a belief that Earth is a bottomless well of riches to be looted in haste and consumed with indiscretion. The moment has come for us to decide between plunder or protection, between pillage or preservation, ~~is upon us~~. We must recognize with John Masefield that "a carelessness of life and beauty marks the glutton, the idler, and the fool." ²

On this continent, the rich beauty of Nature has been laid upon the altar of profit and sacrificed to the gods of growth and progress. But Dr. Arthur Cordell, an economic adviser to Ottawa's Science Council, has bluntly stated: "Growth for growth's sake is the ideology of the cancer cell." ³ We must begin the long journey back to the full status of health of this Earth, this bit of the infinite which is ours to treasure and safeguard. The first step is the revision of the laws which govern the use of the wilderness. Nothing out of the hand of man must be allowed to tamper with its precarious grasp on life.

I would close with a statement from Robert Ardrey, "Change is the elixir of the human circumstance, and acceptance of challenge the way of our kind. We are bad-weather animals, disaster's fairest children. For the soundest of evolutionary reasons man appears at his best when times are worst." ⁴ Environmentally, the times are fast approaching their worst....must we wait until catastrophe to appear at our best?

References:

1. Paul Henry Thiry d'Holbach, The System of Nature, 1770
2. John Masefield, The Tragedy of Nan, preface
3. Article, "Environment: While There Still is Time," in Time, June 29, 1970, p. 7
4. Robert Ardrey, African Genesis, Dell Publ. Co., Inc., New York, 1967, p. 336

8
613 9th Avenue South
Lethbridge, Alberta

31 July 1970

Dr. V. A. Wood
Deputy Minister
Department of Lands & Forests
Natural Resources Building
Edmonton, Alberta

Dear Dr. Wood:

Insofar as you announced, at the public hearing re Bill 106 in Lethbridge, that you would receive further briefs and submissions at a later date, I am sending you the endorsement of the Southern Alberta Regional Council, Boy Scouts of Canada. I did not have it at hand in time to present it at the hearing.

May I also take this opportunity to again thank you, the Committee, and the Government of the Province of Alberta for the opportunity all of us had on that evening to present our views regarding the preservation of wilderness.

Very truly yours,



Mrs. Howie Puckett

Encl: ltr from Boy Scouts of Canada



BOY SCOUTS OF CANADA

SOUTHERN ALBERTA REGIONAL COUNCIL

COUNCIL OFFICE
217 - 12th STREET A SOUTH
LETHBRIDGE, ALBERTA

July 28, 1970

Re: Public Hearing, Bill 106:
An act respecting Wilderness Areas
28, July 1970, Lethbridge, Alberta

The proposed Bill 106 "An act respecting Wilderness Areas" is highly supported in principle by the Boy Scouts of Southern Alberta Region.

We do wish to state that the amended presentation by the Alberta Wilderness Association more truly represents our views on the matter of Bill 106. We, therefore, support the amended form of Bill 106 as presented by the Alberta Wilderness Association.

In the absence of a representative of the Boy Scout organization at this hearing we have asked Mrs. Joan Puckett to read this statement of position on our behalf.

Robert F. Jenkins/c.n.

Robert F. Jenkins
Executive Director

*Supports the proposed Wilderness areas act
& brief presented by Alberta Wilderness Association*
106

Proposals on Bill 106, An Act Respecting Wilderness AreasSubmitted by Frances Schultz →July 28, 1970

To emphasize my belief that Alberta needs a strong Wilderness Areas Act, I wish to present several arguments supporting the need for wilderness areas. Most people are aware of the need to preserve some wilderness areas for their recreational and aesthetic values. I wish to present several important, but often neglected, reasons for mans need of wilderness.

- 1) "A wilderness area - free from man-made controls - is critical in the search for botanical and biological specimens useful to man. The reward may be a plant or fruit with disease immunity; it may be an animal parasite or a fungus useful in commercial or other processes; it may be a soil bacteria or fungi useful in medicines. A wilderness area therefore does continuous service as a 'control' plot." (A Wilderness Bill of Rights by Justice William O. Douglas, Little, Brown and Co., 1965)
- 2) "...the natural world is the ultimate source and raw material of all human knowledge, and ... to allow a species to become extinct before it has been studied and its potential contribution to scientific knowledge assessed is both stupid and liable to deprive future generations of some vital part of their heritage. Since we have only begun to scratch the surface of what we can learn from even the most familiar and best studied animals and plants, it is irresponsible folly to allow any more to become extinct." (Vanishing Wildlife of the World by Richard Fitter, Midland Bank Ltd. and Kaye & Ward Ltd., 1968)
- 3) "...wildlife constitutes an important human economic asset, especially in developing countries which may have little else by way of natural resources. The world would be a much richer place if the abounding wildlife resources that existed, for instance, on the North American continent had been carefully conserved and harvested instead of being nearly wiped out, as happened with the bison, the fur seal, and the sea otter, to name only three." (Vanishing Wildlife of the World)

Wildlife need wilderness areas too, areas which are a last refuge from the presence of man and his works. In fact, man has a moral obligation not to destroy all those species for which he has no immediate need. In 2,000 years, at least 100 different forms of mammals have become extinct, about 40 in the first half of the 20th Century. The present average of one mammal species per year results from the pressure of man and his machines. The two main categories of reasons for this trend to extinction are "those which tend to deprive the animal of its habitat and/or food supply, and those which tend to kill off individual animals in large numbers". (Vanishing Wildlife of the World) It is man who drains marshes, cuts forests, breaks the land, overgrazes the land, builds pipelines, cuts seismic lines, and on and on, with little thought given to the effect these activities have on the land or the wildlife. It is man who has hunted many animals, not just for their fur, hides and meat, but as pets, or for the sheer sport of killing. Only within the last few years has the fate of a species been taken into consideration.

Man can, and must, choose not to destroy every remnant of a species, choose to observe the rules of conservation, choose to maintain some habitat. "No animal can survive in the wild without the habitat to which it has become adapted.... Much the best way to conserve the stock of any vanishing animal is by setting aside a substantial tract of its favoured habitat...to forbid development of any kind,... and to appoint one or more ecologists to advise on its management." (Vanishing Wildlife of the World).

It is essential that An Act Respecting Wilderness Areas should provide the greatest possible protection for our wilderness areas. This is best done by creating permanent reserves, established by an Act of the Legislative Assembly. No consideration should be given to withdrawal of areas from wilderness status. No mining, gas and oil well drilling, dams, lumbering, or other developments should be allowed in the areas, nor to affect the areas. Each area must be managed by a resident Wilderness Area Naturalist, trained in biology or ecology, who understands the area and can make ecologically sound recommendations on its management.

The Act must set out clearly the means of eliminating all kinds of development from the Wilderness Areas. Any existing developments, allowed to continue for a limited time, must be completely under the control of the Minister of Lands and Forests. No other department, especially the Department of Mines and Minerals, should have any jurisdiction over operations in, or management of, Wilderness Areas.

I wish to support the specific proposals, for changes in An Act Respecting Wilderness Areas, submitted by the Lethbridge Natural History Society.

Mrs Francis Schultz

Proposals on Bill 106, An Act Respecting Wilderness AreasSubmitted by The Lethbridge Natural History SocietyJuly 28, 1970

(Numbers at the head of paragraphs refer to the sections of Bill 106.)

2.(d). Wilderness area should be defined pursuant to Section 3 and Section 4.

3. Wilderness areas must be established by an Act of the Legislative Assembly. To quote William O. Douglas (A Wilderness Bill of Rights, by William O. Douglas, Little, Brown and Co., 1965): "Unless wilderness areas are as securely preserved as humanly possible, they will in time be lost. The surest security is by constitutional amendment, as was done in New York respecting the Adirondacks. The next best method is by legislative declaration." Establishment by the Lieutenant Governor in Council is too easily revoked.

4. We are in agreement with the stated purpose of a wilderness area, but would like to see the purpose broadened to include gathering and dissemination of information regarding the use and enjoyment of wilderness. There should be provisions for some kinds of scientific research which will enhance the understanding and enjoyment of those who visit the area.

5.(1) We applaud the proposal to establish an Advisory Committee on Wilderness Areas. It should however be mandatory that this committee be established. A committee that "may" be established is easily avoided or dissolved in the face of commercial pressure. We support the following proposals of the Alberta Wilderness Association (Lethbridge Chapter):

- That it be a 5 man committee.
- 3 members to be appointed by Lieutenant Governor in Council.
- 2 members to be appointed jointly by the Alberta Wilderness Association, the Federation of Alberta Naturalists, the National and Provincial Parks Association of Canada, and the Alberta Fish and Game Association.
- That members be appointed for 2 year terms, terms staggered so there will be some continuity on the committee.
- That the chairman of the committee be a trained ecologist.

5.(3) The Lieutenant Governor in Council shall authorize...

5.(5)(c) This must be deleted. Wilderness areas must be created with permanence in mind. There should be no provision for and no consideration given to withdrawal of lands from wilderness areas. The only way to have any wilderness 100 years from now is to create them as permanent reserves. The reduction in size of Willmore Wilderness Area less than 10 years after it had been established provides an example of how willing governments are to make changes in such areas.

5. Could there be some provision in the Act to reduce the possibility of a Minister ignoring the recommendations of the Advisory Committee? As presently written, the Minister does not have to act on any recommendations unless he wishes. This tends to make a good committee somewhat useless.
6. We think the Advisory Committee should meet a minimum of twice a year-- once north of and once south of Township 42 (as proposed by the Alberta Wilderness Association). This would make it easier for the citizens of Alberta to attend and make presentations.
- 6.(b) "the withdrawal of any lands from" must be eliminated. These are to be permanent areas.
7. The program to preserve and maintain the wilderness area must be administered by a Wilderness Area Naturalist. A system of provincial naturalists must be established with at least one Wilderness Area Naturalist for each wilderness area. A Wilderness Area Naturalist shall be a trained ecologist with minimum training being a degree in biology or ecology. The system of provincial naturalists would be administered by the Minister of Lands and Forests.

All decisions on administration, including fire control, must be based on the recommendations of the Wilderness Area Naturalist.

Each Wilderness Area Naturalist must be resident at the wilderness area, not in Edmonton.

- 8.(1) Since wilderness areas are to be permanent, no disposition should be made under any provincial Act. We support proposals of the Alberta Wilderness Association with respect to interests in existence when the wilderness area is established:

- All exploratory activity (for minerals, etc.) shall cease.
- Existing developments (e.g., mine or producing well) must be quit by December 31, 1990. (This provides 19 years for production, as did the U.S.A. Wilderness Act.)
- Existing developments must operate under the control of the Minister of Lands and Forests, as advised by the Wilderness Area Naturalist
- No extensions of existing developments (such as opening another mine, or drilling a second well) shall be permitted, except in compensation.
- The Minister of Lands and Forests, as advised by the Wilderness Area Naturalist, must be empowered to close or suspend any operation whose activities are detrimental to the wilderness area (e.g., polluting streams).
- Undeveloped claims and leases revert to the Crown.
- No pipelines, powerlines, or access roads for existing developments except under the control of the Minister of Lands and Forests, as advised by the Wilderness Area Naturalist.
- All continuing developments must provide for the reclamation of the area at the termination of the development.

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- All continuing developments must provide for the reclamation of the area at the termination of the development.

3.(2) All interests and estates in a wilderness area must be expropriated by the Crown. Provisions must be made for determining compensation based on funds invested in these interests and estates, not on claimed potential values.

9. This whole section must be removed. There must be no provision made for building pipelines into a wilderness area. Existing pipelines may require special consideration regarding their operations, but none should be built once the wilderness area is established. ✓

10. There should be no construction of any type allowed in a wilderness area except as provided for a limited time for existing developments. Administration buildings for each wilderness area should be outside the boundary of the wilderness area, but adjacent to it. Any hiking trails that are provided should develop naturally by moving deadfalls, etc., out of the way; no machines should be used to establish trails.

11.(1) No motorized equipment (including chain saws) or wheeled vehicles should be allowed.

A minimum altitude for aircraft should be established.

Otherwise harassment of game animals could occur.

There should be no garbage containers provided in the wilderness area. Visitors should be required to carry their own garbage out.

11.(2) Travel by Horses should be allowed, subject to the approval of the Wilderness Area Naturalist. Grazing of horses should not be allowed, especially when it involves large number of animals on pack trips.

Fishing and hunting regulations should be set under the Game Act and the Fisheries Act after consultation with the Wilderness Area Naturalist.

Minimum measures, as authorized or approved by the Minister of Lands and Forests, necessary to control forest fires or for an emergency involving the health or safety of persons shall be permitted. Forest fire prevention should not be attempted since this usually involves the building of roads or cutting of trees. Fire control measures should be established under the advice of the Wilderness Area Naturalist.

11.(3) Fines should be increased from a minimum of \$150 to a maximum of \$1500. *700 to 1500*

12. Protection from pollution should include protection from activities outside the wilderness area, e.g., dams, air pollution, river pollution.

12.(c)(ii) In the case of a corporation, the fine should be increased substantially. This is a major offence, if it is a third or more occurrence. It should be \$10,000 to \$50,000 per day until the activity ceases; or if it is a single incidence perhaps a minimum fine of \$100,000. Provision should also be made for the imprisonment of corporation officials responsible for the damage. This measure is now being used in the U.S.A.

to force corporations to obey the laws.

12. Penalties for all offences shall include reclamation of the area damaged or the cost of the reclamation.

13. The Minister, as advised by the Wilderness Area Naturalist, may prohibit or restrict travel in a wilderness area during any period. There should be no provision for the issuing of special permits.

15. We propose an additional section to this Act:

That the Minister shall be empowered to establish a schedule of fees for the use of the wilderness area.

Those who use the area should pay toward the cost of administering and preserving the wilderness area. (See The Economics of Wilderness, by Garrett Hardin, in Natural History magazine, June-July 1969.)

I Establishing fees in

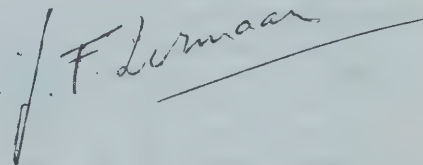
The Archaeological Society of Alberta
Lethbridge Centre

Endorsement to the Minister of Lands and Forests re- Bill 106,
An Act respecting Wilderness Areas.

The following endorsement is hereby respectfully submitted to the
Honorable Minister of Lands and Forests for his attention.

The Archaeological Society of Alberta, Lethbridge Centre, endorses
the recommendations submitted by the Lethbridge Natural History
Society.

Respectfully submitted this 28th day of July, 1970.

A handwritten signature in dark ink, reading "J.F. Dormaar", is written over a horizontal line. The signature is slanted to the right.

Dr. J.F. Dormaar,
Vice-President.

(12)
James A. Farr M.D.
8.37 P.M.

Brief to the Hon. J. Donovan Ross, MD
Minister of the Department of Lands and Forests

re: Proposed Bill 106 THE WILDERNESS AREAS ACT

As a private citizen, interested in the implications of proposals outlined in Bill 106, I wish to emphasize several facts.

Firstly, this bill proposes to deal with a form of land which has become extremely scarce on this continent and in this country. A citizen leaving the Lakehead, driving west towards the Rockies for a distance of 1,100 miles, at present passes only one wilderness area. This is Quetico Provincial Park on the north shores of Lake Superior in north-western Ontario. In both Manitoba and Saskatchewan there is not in existence nor are there proposals at present for wilderness areas in the populated part of the province. In Alberta, there still exist relatively small areas which could still be considered wilderness. It should be pointed out that these areas exist not through the foresight of law-makers or the benevolence of resource development industries, but as a result of geographical inaccessability. The days when this inaccessability protected this land is long past and indeed every day sees new inroads into these relatively unspoiled areas.

Secondly, it must be emphasized that this bill outlines a system of land use and management on parcels of land that are in principle, public property. They belong to the citizens of this province, they belong to you and to me. It is not my purpose this evening to belittle the tremendous contributions which have in the past been made by the mining and petroleum industry to the wealth of this province. However, because of their large contributions, they have enjoyed many special privileges and I believe that in certain places these privileges are unfair to other citizens of this province.

The "quality of life" has recently become a popular phrase. Indeed, it was used recently by Premier Strom on a visit to this city. It is my point that in essence, this proposed legislation deals with one small but important facet of the quality of our lives, namely the maintenance in perpetuity selected areas of relatively unspoiled natural lands, which are accessible to man but only by primitive means.

con't

A cursory glance at Bill 106 may give one the impression that many concessions are being made to the small but increasingly concerned and vocal groups of citizens of this province, who wish to see wilderness areas maintained. However, when one reads section 9, sub-section 2 of this proposed legislation, it becomes clear that things are not really changed. We have a bit of appeasement, a bit of window-dressing for one segment of the population, but just another concession to the petroleum industry. The reason I say this is that it specifically permits the exploration for extraction and shipment through pipelines, of petroleum products as well as the building of water transmission pipelines through wilderness areas. Now the essence of wilderness area is inaccessability by mechanical means. Obviously, we must have a system of fire roads, but these must be for the use of forestry personel only. Development of roads alone, let alone all of the activity associated with petroleum exploration and extraction, spell the death knell for wilderness areas.

It is my sincere hope that in the revision of this proposed legislation, prime consideration be given to the maintenance of unspoiled, relatively unaccessable areas for the enjoyment of our children and our children's children.

Thank-you very much.

Yours truly,

James A. Farr.
James A. Farr, MD
Coaldale, Alberta
July 28, 1970

~~8-11-71~~

July 28, 1970.

A BRIEF TO THE COMMITTEE ON
THE ALBERTA WILDERNESS ACT

By Joe Balla

Lethbridge, Alberta

Immediate Past-President
ALBERTA FISH AND GAME ASSOCIATION

Mr. Chairman and distinguished members of this committee. It is a privilege to appear before you here today both as a private citizen and as immediate past-president of the Alberta Fish and Game Association.

The Alberta Fish and Game Association was established Feb. 21, 1908 and incorporated under the Societies Act of Alberta Nov. 13, 1946. The association was born in the belief that every resident and citizen of this great country of ours has a great and inescapable stake in the conservation and wise use of our natural resources. The Alberta Fish and Game Association therefore has always been ready to accept, and indeed desires to face a basic responsibility to do its part in assuring that our natural resources are properly managed and used.

The association does not desire to speak for or pursue objectives from any self-centred, or selfish aspect restricted to the likes and dislikes of any or all of its membership, but rather on a basis of betterment for the majority of the people of this province and the Dominion of Canada as a whole.

Initially the association had, for the most part, regional representation only. Today it is a federation with more than 100 affiliated clubs throughout the province and a membership of nearly 25,000.

The association congratulates the minister of lands, the Hon. J. Donovan Ross, and the government of this great province, for setting up such a most able committee to hear representation concerning the proposed Wilderness Act.

It is essential that we attempt to grasp with real foresight the recognition and need for the setting aside of forest reserves, parks and other areas of restricted development.

Over the years the Alberta Fish and Game Association has made various representations to government concerning our parks, forest reserves and wilderness areas. The following is a compilation of our resolutions and briefs during the past 10 years.

We feel it is most essential that guidelines be clearly defined and policy be adopted by government that will protect the values of wilderness areas as well as determine the extent of development that should occur along the east slopes of the Eastern Rockies Conservation Area.

WILDERNESS: Wilderness areas should be established with permanency for the purpose of preserving their natural beauty, ecology and wilderness character for the enjoyment of present and future generations. These areas to be established under the Alberta Wilderness Act.

Page 3, Alberta Parks Policy, as enunciated in March, 1967, the following description is given to Wilderness Area: "A tract of undeveloped land set aside for the presentation of a natural environment, retaining its primeval character and influence, without permanent improvements or human habitation. The purpose is to provide opportunities to expand our outdoor knowledge and recreation experience in natural wild conditions." I don't believe many, or anyone can quarrel with that interpretation if it is implemented and adhered to.

AREAS: Areas already designated as wilderness, namely the Siffleur, White Goat, Ghost, a portion of the Willmore Wilderness Park, as well as small areas known as the Kananaskis, Elbow, Castle River (submitted to cabinet in 1969) be declared as wilderness areas. Further, small areas other than in mountain topography should also be classified as wilderness

in the public interest, adding to the character of the prairies, parklands, foothills and water courses under this legislation.

USE: The use of these generally small areas, in keeping with the purpose of their establishment, must preclude any development or travel, other than by human or animal propulsion.

It's recognized that in some of these proposed wilderness areas, there may be existing leases. These should not be renewed, or cancelled completely wherever possible.

Fishing and hunting may be permitted, partially restricted for some species, prohibited, according to principles of good game management.

By far the larger part of the East Slope of the Canadian Rockies are the semi-wilderness forest reserves. It is well served by a north-south trunk road with a fairly adequate number of exits, camp kitchens and other service facilities used by the average fisherman, hunter, weekend sightseers and tourists.

Under the terms of the Eastern Rockies Conservation Board, the prime purpose of this area is clean water conservation and this prime function must never be allowed to become subordinate to any other purpose or use.

The great asset of this Eastern Rockies Conservation area has been that the governments of Canada and Alberta have so far retained this semi-wilderness aspect.

We recognize multiple use concept in so far as it is in keeping with the prime use. We believe that hunting, fishing and scenic pleasure use is completely complimentary to the prime use and semi-wilderness aspect and is without doubt the secondary priority of the East slopes.

A policy against monopoly control and unnecessary development must be more strictly enforced, if anything, in the future. There is strong pressure to build homes and develop recreational facilities along the east slopes. The government should not bend regardless of the pressure.

An example of the kind of pressure developing is indicated by the applications for 29 lots at Burntstick Lake west of Innisfail last year. Burntstick Lake, just outside of the forest reserve, had nearly 500 applications for the 29 lots, according to reports.

We urge our government to immediately reassess our development position and policy for the east slopes. The primary and secondary uses of these slopes are completely people oriented and can be made to stand for all time. Opening up of this region to building and other development would negate the philosophy being advocated for the relatively small wilderness areas.

Should other uses be considered for the east slopes, and these uses be not complimentary to the primary use, the merits of use should be predicated on a long term of prime values and not on a short term of economic return. Destruction or impairment of the prime uses and values should never be tolerated.

Where essential services are required, these can be accommodated along the already established thoroughfares like Highways 1, 3, 11 and 16.

Sale or lease of lots for sites for private use or development should not be allowed.

Harvest of forest products in the semi-wilderness areas should be approved only under strict supervision of good forestry management and pollution control practices.

While the Eastern Rockies Conservation Board and the Alberta Forest Service, with assistance from other federal agencies are carrying out various types of research in the east slopes, there is great need for stepped up research. An important aspect to long range research and study should be to the long range benefit to the people, the province and indeed the prairies.

While there is no intention of standing in the way of industry and progress, we must be able to differentiate between progress and impairment and destruction. Because others hurry, grab, burn, loot and pollute, there is no need for us to do the same. There is need to exercise care for the natural trust.

THE PROPOSED WILDERNESS ACT

The proposed act attempts to define wilderness which is good, but it does not indicate permanency for wilderness areas as they may be set up.

An advisory committee to the minister is also a good point in the proposed act. That a majority of the committee should be from outside of government is also good.

The holding of public hearings for adding to or the possible deletion of some wilderness areas is also good.

Providing the minister with broad powers to administer the act and stiff penalties for violations is also good.

The setting up, or possible deletion of wilderness areas in the province should be by assent of the legislature and not the lieutenant-governor in council.

It should also be spelled out clearly that there shall be no dams or other water course obstructions in wilderness areas.

Gentlemen, Alberta has come a long way since 1886 when Kootenai Brown collected oil seepage at Waterton Lakes and sold it for \$1 a gallon for machinery grease. In 1914 it was Turner Valley; Leduc in 1947. Then came Redwater, Golden Spike, Woodbend, Swan Hills and others.

While this committee's terms of reference pertain to the Wilderness Act, I believe the Wilderness Act can be brought into proper perspective and being only through an over-all reassessment of the past and an over-all look into the future far ahead.

(14) (12)
Mr. Fritz Wuth 856 RM

Many have spoken about the need for Wilderness Areas, apparently well, because our Government has brought forward Bill 106. But bill 106 is not strong enough to ensure that these areas that are to become wilderness areas will remain truly so. Any deletions or withdrawels of land from any area should be only possible through legislative ammendment, so that it is done in full public view.

Also, all existing permits, leases, whether timber or mineral should be revoked and compensated. How can we have a wilderness area with a gas plant in the middle of it?

PINCHER CREEK LOCAL 9-835 JIL CHEMICAL AND ATOMIC WORKERS INTERNATIONAL UNION respectfully submit the following ^{SUGGESTIONS FOR} changes to Bill 106.

SEC. 3 (1)

The schedule defining the boundaries of any Wilderness Area will be promulgated by the Legislature.

SEC. 4

The term Wilderness Areas needs to be accurately defined. The U. S. Federal Wilderness Act 1964, Section 2C, is the type of definition we need.

SEC 5 (c)

Withdrawel of land from a Wilderness Area should only be possible by ammendment of the Wilderness Act by the Legislature.

SEC. 6 (b)

Strike withdrawl of lands from Wilderness Area.

SEC 7 (b)

Omit - wild water sheds are never stable and to do so destroys the basic concept of Wilderness Areas.

SEC 8

Must be ammended to expropriate any former obligations in a Wilderness Area.

SEC. 9 and SEC. 11 (2b) iv

Unnecessary when section eight has been carried out as above.

SEC. 12

Restitution should be included as well as fines.

Fritz Wuth
Chairman Safety & Health
Local 9-835 OCAW

A wilderness in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in the Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which

- (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
- (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
- (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and
- (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

(From: Section 2(c) - The Wilderness Act (U.S.A.)
Public Law 88-577
88th Congress, S.4
September 3, 1964.

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copy
PUBLIC HEARING on WILDERNESS AREAS, July 28th, 1970

Mr. Wm. N. Nicholsky
Hamilton Junior High School, Lethbridge, Alta.

I drove 80 miles at my own expense in time and money just to attend this hearing. I consider myself a conservationist. I appreciate this opportunity to say a few things I have in mind and first of all, I thank Mr. Ross and Mr. Wood for this opportunity. Here the Govt. is acting in a democratic way. It seems odd though that we should have a Public hearing on something to be preserved, yet almost never on something to be destroyed.

Public Lands.

Govt. has always favored the multiple use concept in regard to public lands. Multiple use should include Wilderness Areas as this would give the Public a little consideration on their land.

Most uses today take in private enterprise - mining - oil and gas wells and pipelines - logging - grazing of livestock - power plants - ski resorts - tourist accommodations and likely a few more.

Public uses are the sport of fishing, hunting and sight-seeing which gets steadily poorer as industry moves in. Public use it seems receives very little attention from the Govt. We cannot claim water conservation as a Public use as more water pollution seems inevitable.

Game populations will continue to dwindle as industry is

allowed to further desecrate our key wintering grounds.
Allowing permanent type Big Game Guide camps would also be
a violation of Public lands.
I do not want to see the entire Forest Reserve turned into
a playground and industrial area.

Reasons for Wilderness.

Consideration for Wilderness Areas is long over-due and many of us are losing patience. Exploiters have kept us complacent with quotations such as, you can't halt progress - it is in the Public interest and right will prevail, while destroying our wild-lands. I'm not saying all exploiters are evil - it's just that they have been allowed too much liberty.

The many high quality recreational uses of true wilderness are obvious and the areas will become more valuable with time. For those of us who have a reverence for the land they hold a meaning of hope and I don't mean finding minerals. I believe that the most important and finest thing about Wilderness Areas is the assurance and comfort of knowing they exist even if we never see them, and never use them for anything more than a sort of guide for scientific comparison to control and regulate use of adjacent, altered lands.

Conservation.

It is difficult to talk about wilderness without getting into conservation of the environment in general. Here we are talking of aesthetics - not dollars and cents. At the present rate we will soon have turned all of our non-renewable resources into dollars. Where will we go in the future to trade these dollars for the raw materials we will need then? Certainly we want to lock up some of our resources. Conservationists are not interested in leaving a fortune in money and property to their descendents but will strive to leave a fortune in resources and ideal environment. We feel it is necessary to slow down progress and the economy and apply them in their true meaning. Too much affluence simply results in too much effluence.

Perhaps we should forget our concern and go along with the politicians who say - people will adapt and learn to live with the present deteriorating environment. We could do this, I'm sure, only to a point where nature will cease to learn to live with us.

Wm. Michalsky

✓

16 (16)
P.P.M.

P.O. Box 247
Pincher Creek, Alberta
July 25, 1970

Mrs W. J. Boyden -

The Chairman
Bill 106 Hearing
Lethbridge, Alberta

Dear Sir:

Because I shall be unable to attend the hearing on Bill 106 in Lethbridge, I am taking this method of expressing, very briefly and informally, my views.

A new Wilderness Act is urgently needed. It is my hope that it will provide for more and larger ^{areas} to be set aside and preserved in their natural state. I feel that it is also necessary that greater control be exercised over National and Provincial Parks, and the Forest Reserves.

Lumbering, mining, gas processing, and even the tourist industries have, in recent years, almost completely destroyed our beautiful hinterland. The roar and stench of snowmobiles and 4 wheel drives have desecrated the profound purity of our hills, valleys, and mountains.

Had I known before school closed for the summer that ordinary people would have an opportunity to express themselves on this subject, I could have had several hundred signatures of young people reinforcing my views. Aside from the large number who just simply enjoy nature, there is, in our area, an exceptionally large number of creative students with great potential as artists, writers, sculptors, poets and philosophers. Almost without exception their original inspiration at least has come from experiencing wilderness solitude.

Our mercenary generation is robbing these young people of their birthright - their opportunity to make a worthwhile contribution to the Canadian way of life. It is time a stop was put to it!

Thank you for your courtesy in considering this.

Yours sincerely,

Wm J Boyden
(Mrs. W. J. Boyden)

The Medicine Hat*Fish and Game*

818 Black Blvd. N.W.
Medicine Hat, Alta.
Canada.

August 15, 1970.

ASSOCIATION

P.O. BOX 883

Dear sir:

This will inform you that the Wilderness Committee along with the Fish and Game Association of this city circulated a petition asking for firmer measures to Bill 106 and were successful in obtaining signatures to the following:

(approx. 700)



Proposed Wilderness Act.-Bill 106

We the undersigned are in full agreement and support the government in respect to Wilderness Areas. We believe Bill 106 does not provide sufficient guaranteed protection for public lands designated as Wilderness Areas.

We believe Bill 106 does not provide sufficient guaranteed protection for public lands designated as Wilderness Areas.

We believe Bill 106 should be stronger in regard to Wilderness Areas in the foothills.

We believe there could be areas set aside for Wilderness Areas on the prairies.

We the undersigned urge the government to pass an act re Wilderness Areas at the earliest possible date.



These were forwarded to Dr. J.D. Ross-Minister of Lands and Forests.

Yours truly,

E.E. Scoville

E.E. Scoville
Chairman Wilderness
Committee



The Medicine Hat



Fish and Game

ASSOCIATION

P.O. BOX 883

Brief on Bill 106

Recently the proposed Bill 106 was discussed at a forum in Methbridge. As a result of this meeting I feel a strong need to add my thoughts to those who feel an urgent need for a stronger Bill 106.

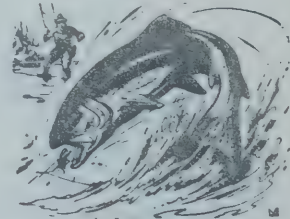


Sec. 3, sub sec. (1) I feel this should not need to be "Public Lands" but could be any land set aside (after purchase, etc.) for Wilderness Area.

Sec. 5, sub sec. (C), and Sec. 6, sub sec. (B) Withdrawal of any Wilderness Area should only be done after public debate and then only when additional land is added as compensation.

Sec. 8, sub sec. 2 (A&B) should read so that Gov't "can" buy back rights sold prior to Law 106.

Sec. 9, sub sec. (2) Should not allow permits issued until these matters are settled. In fact I would recommend that the government should cease all resources development in parks and Wilderness Areas of this Province immediately and for all time.



Sec. 11 sub sec. (C) Should have a definite floor level for air craft so they cannot fly below this altitude over a Wilderness Area. (Except those that are needed to protect Wilderness Areas or to Count Game Populations or in case of lost Personnel, etc.)

Sec. 12 A B and C (1 and 2) Restitution should be provided in all cases.

Please consider these suggestions before drafting a further Bill 106. Thank you.



Yours truly

E.E. Scoville

E.E. Scoville

Chairman Wilderness Comm. Med. Hat

The Medicine Hat



Fish and Game

ASSOCIATION
P.O. BOX 883

Re: Proposed Wilderness Act - Bill 106

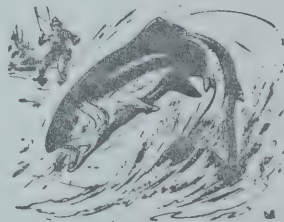
We the undersigned are in full agreement and support the Government in respect to Wilderness Areas. We believe this is a step in the right direction.

We believe Bill 106 does not provide sufficient guaranteed protection for public lands designated as Wilderness Areas.

We believe Bill 106 should be stronger in regard to Wilderness Areas in the foothills.

We believe there could be areas set aside as Wilderness areas on the prairies.

We the undersigned urge the Government to pass an act to Wilderness Areas at the earliest possible date.



SIGNATURES

OVER



5-2-7

PROPOSED WILDERNESS AREAS ACT

BRIEFS PRESENTED AT

CALGARY

JULY 29, 1970

A BRIEF ON BILL 106

An Act Respecting Wilderness Areas

Presented by Floyd Stromstedt

President, ALBERTA WILDERNESS ASSOCIATION

July 29, 1970



Alberta Wilderness Association

Box 6398, Station D,
Calgary 2, Alberta.

July 29, 1970.

Dr. V.A. Wood,
Deputy Minister of Lands and Forests,
Natural Resources Building,
Edmonton 6, Alberta.

Dear Dr. Wood:

Re: Public Hearings on Bill 106 -
An Act Respecting Wilderness Areas.

Enclosed please find the following items:

1. A set of three overlay maps of the Rocky Mountains Forest Reserve.
2. A critical analysis of Bill 106.
3. A modified version of Bill 106.

This material shall serve as the official Brief of the Alberta Wilderness Association, a Province-wide organization of 685 paid-up members and a further 451 people who were members last year, and are in the process of renewal as of May 31, 1970. The central Association hereby wishes to endorse those additional Briefs prepared by local Branch Chapters of the Alberta Wilderness Association.

The Provincial Government is to be congratulated; - first for introducing Bill 106, and second for providing the public with the opportunity to comment via these Hearings.

As can be readily determined by the enclosed material, the Alberta Wilderness Association is dissatisfied with Bill 106 in its present form. It is felt that wilderness legislation is of such importance to the people of the Province, both present and future, that it must be designed with the maximum strength. Consequently, in lieu of extended arguments regarding the proposed Bill 106, the Alberta Wilderness Association has prepared a completely different Bill 106, using those portions of the proposed Bill that were satisfactory, and rewriting those that were not.

*"There are gifts the wilderness can bestow
that are not duplicated elsewhere."*

Bishop Robert Hach

Dr. V.A. Wood, Edmonton, Alberta.

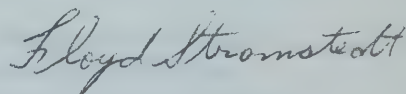
July 29, 1970.

Compromise is recognized as the normal pattern in these matters, but in the case of Bill 106, there is no room for compromise. The revised Bill, as presented by the Alberta Wilderness Association is the minimum acceptable legislation.

The Alberta Wilderness Association, being a group established solely for the purpose of studying and solving wilderness problems, also recognizes many valuable suggestions by others at these hearings. We (the Association) wish to hereby offer our services to the Provincial Government in interpreting, evaluating, and putting to use these suggestions so that the best possible wilderness legislation will result.

Looking forward to continued communication with you, on behalf of the Alberta Wilderness Association, I remain,

Respectfully yours,



Floyd Stromstedt,
President,
ALBERTA WILDERNESS
ASSOCIATION.

FS/H

Encls.

Critical Analysis of BILL 106
An Act Respecting Wilderness Areas

An Act Respecting Wilderness Areas

Section 14: O.K.

B I L L 1 0 6

1970

An Act respecting Wilderness Areas

AS AMENDED BY ALBERTA WILDERNESS ASSOCIATION

For Presentation at Public Hearing, July 29, 1970

Viscount Bennett High School,

Calgary, Alberta.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta enacts as follows:

1. This Act may be cited as The Wilderness Areas Act.

2. In this Act,

(a) "Advisory Committee" means the Advisory Committee on Wilderness Areas;

(b) "Minister" means the Minister of Lands and Forests;

(c) "public land" means land of the Crown in right of Alberta;

(d) "wilderness area" means a wilderness area established pursuant to section 3.

(e) "private land" means land not owned by the Crown in right of Alberta.

3. (1) The lands within the areas described in a Schedule promulgated by the Legislature are hereby established as wilderness areas.

(2) A reference in the Schedule to a township, section, quarter section or legal subdivision shall, in respect of unsurveyed territory, be deemed to refer to what would be a township, section, quarter section or legal subdivision if the land were surveyed in accordance with The Alberta Surveys Act.

4. (1) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the Province of Alberta, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Government of Alberta to secure for the people of Alberta of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a system of Wilderness Areas to be composed of lands within the Province of Alberta designated by the Legislature as "wilderness areas", and these shall be administered for the use and enjoyment of the people of Alberta in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(2) A wilderness in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are relatively untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in the Act an area of relatively undeveloped Provincial land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which

(a) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;

(b) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;

(c) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and

(d) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

5. (1) The Lieutenant Governor in Council shall establish a committee called the "Advisory Committee on Wilderness Areas" consisting of five or more members, and shall designate one of the members as chairman.

(2) A majority of the members appointed shall be persons who are not employees of the Government.

(3) The Lieutenant Governor in Council shall authorize, fix and provide for the payment of remuneration and expenses to any of the members of the Advisory Committee who are not employees of the Government.

(4) The Advisory Committee shall meet at the call of the chairman.

(5) The Advisory Committee shall from time to time consider and make recommendations to the Minister for

(a) establishing a new wilderness area, or

(b) adding lands to an existing wilderness area, or

(c) awarding compensation determined under section 8 (c).

(6) The Advisory Committee shall refer any recommendations made by it under subsection (5) to the Environment Conservation Authority for its consideration.

6. The Advisory Committee shall, at least twice a year or more often as required, hold public hearings, one north of Townships 42 and one south of Townships 42 in the Province of Alberta, for the purpose of receiving and hearing submissions and representations respecting:

(a) any recommendations made by it under section 5, subsection (5),

or

- (b) any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any lands to an existing wilderness area.

7. The Minister, subject to the approval of the Advisory Committee, may carry out or cause to be carried out measures or programs in a wilderness area, or approve the carrying out by other persons of measures or programs in a wilderness area,

- (a) for the purpose of managing wilderness areas in order to restore and maintain watershed stability and provide the necessary protection for preserving plant and animal life indigenous to the wilderness area, while keeping within an accepted ecological framework, or

- (b) for ecological and other scientific research that involves little or no physical disturbance of the area, or

- (c) generally, for the protection and preservation of the wilderness as defined by the criteria in Section 4.

8. (a) No disposition or expropriation shall be made by or on behalf of the Crown of any estate or interest in public lands in a wilderness area by any Provincial Act.

- (b) Where there has been any previous disposition of any estate or interest in public lands or there are any private lands in a wilderness area, the Advisory Committee on Wilderness Areas shall expropriate these estates or interests in public lands or the private lands.

- (c) Where estates or interests in public lands or private lands are expropriated under subsection (b), the person or persons who are subject to such expropriation shall be entitled to compensation. Such compensation shall be determined by a hearing before the Advisory Committee on Wilderness Areas.

9. (1) Except as permitted under section 10, subsection (2), no Minister of the Crown or other person on behalf of the Crown shall

- (a) construct, maintain, repair or operate any public work, road, railway, aircraft landing strip, helicopter base, structure or installation in a wilderness area, or
- (b) expend or authorize the expenditure of any moneys for any of those purposes.

(2) Subsection (1) applies mutatis mutandis to a Crown corporation or other corporation, board, commission or body the members of which are appointed by an Act of the Legislature, the Lieutenant Governor in Council or a Minister of the Crown or any combination thereof.

10. (1) Subject to subsection (2), no person shall

- (a) travel in a wilderness area except on foot, on horseback, or by means of a vehicle or boat that is not motor-powered, or
- (b) no aircraft shall fly lower than 2000 feet above the highest point in the wilderness area, or
- (c) deposit any litter, garbage or refuse in a wilderness area except in areas and containers provided for that purpose.

(2) The following acts are permitted in a wilderness area:

- (a) the carrying out of measures or programs authorized or approved by the Minister pursuant to section 7, and
- (b) the use of any means of transportation or any equipment and the doing of any act in connection with
 - (i) the prevention or extinguishing of forest fires, or
 - (ii) the prevention of damage to natural resources or property, or
 - (iii) emergencies involving the health or safety of persons.
- (c) hunting and fishing, subject to the Wildlife Act.

(3) A person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not less than \$50 and not more than \$500 and in default of payment to imprisonment for a term not exceeding three months and restitution of any damage caused.

11. Any person who, without lawful justification or authority, destroys or damages or pollutes any land, water, plant life or animal life in a wilderness area is guilty of an offence and liable on summary conviction:

(a) for the first offence, to a fine of not less than \$50 and not more than \$1,000 and in default of payment to imprisonment for a term of not more than 60 days and restitution of any damage caused.

(b) for a second offence, to a fine of not less than \$100 and not more than \$5,000 and in default of payment to imprisonment for a term of not more than 120 days and restitution of any damage caused.

(c) for a third or subsequent offence

(i) in the case of a natural person to imprisonment for a term of not less than one month and not more than six months, or

(ii) in the case of a corporation, to a fine of not less than \$10,000 and not more than \$50,000.

(iii) and restitution of any damage caused.

12. The Minister may prohibit or restrict travel in a wilderness area during any period either absolutely or except under the authority of a permit issued by or on behalf of the Minister.

13. This Act comes into force on the day upon which it is assented to.

Audio-visual map sections and overlays, which cannot

be reproduced were also submitted with this brief.

MR. CHAIRMAN AND MEMBERS OF THE PANEL:

Committee Archie L. Hogg

We all should be appreciative of our Provincial Government and the Department of Lands and Forests for giving the public the opportunity to state its thoughts as to what should constitute a Wilderness area. Indeed, we very much appreciate Bill #106.

Lack of interest by us, the people, ourselves, has perhaps been part of the reason that we have not had Wilderness Areas before now. Governments, too, are offenders, for protection of isolated parts of our country is long past due; lack of foresight has created difficult situations today. We feel that it is up to those who have the authority to save some parts of our country from the tragedies of modern times: the destruction and after-effects of industry; for this we have received a price, but lost something that can never be replaced.

We realize that previous commitments in areas designated for Wilderness will be difficult to retract, but we do hope that every effort will be made, and we feel that this can be accomplished.

Referring to Sections #3 and 5: It should be kept in mind that other than public lands could be considered for Wilderness Areas. Some Prairie and Parklands would be of added interest. Designating areas and setting of boundaries should be done by legislation and not by Order-in-Council. We are of the opinion that our M. L. A.'s and the public should be aware of what is taking place. We do oppose the withdrawal of any lands for the benefits of Industrial or Commercial interests.

Section #4: We would hope that there would be a definite policy that would define the areas and guide administration with the assistance of the biologist.

Section #3: We should call your attention to Section #4 which states: "...the purpose of a Wilderness Area is preserving of natural beauty, wilderness character and protection from impairment...." This will never be achieved if the Oil, Mining and Lumber industries are allowed priority; then we will have nothing.

To have Wilderness (1) Industry must be disallowed.

(2) Crown liabilities, such as mineral leases and permits should not be renewed.

(3) Previous liabilities could be cancelled and compensated for.

If this cannot be accomplished the Crown has other methods which could be used.

To Section #10 should be added:"changing or tampering of any natural water course within the Wilderness area.

Section #11. There is a constant increasing demand for Wildlife-based-recreation, such as observation and photography, also hunting of Big Game. The latter could be used only when game increases to the extent that game Management finds that they must be reduced. Restricted hunting could be permitted.

I, personally wish to congratulate Dr. Donovan Ross for the effort he has made to establish Wilderness Areas. He will be thanked, at least, by those who appreciate the great out-doors.

Respectfully submitted,

Arthur J. Ross - Chairman.
PARIS - ADVICE - COUNCIL & WILDERNESS COMMITTEE.
Alberta Fish and Game Association.



A BRIEF TO THE GOVERNMENT COMMITTEE
ON THE PROPOSED WILDERNESS AREA ACT

BILL 106

RESPECTFULLY SUBMITTED,

W. H. Percy

W. H. PERCY, CHAIRMAN,
BIG GAME COMMITTEE,
CALGARY FISH AND GAME ASSOCIATION.

JULY 29, 1970.

May Our Sons Enjoy Tomorrow What We Conserve Today



We appreciate this opportunity given to us by the Honorable Dr. J. Donovan Ross, Minister of Lands and Forests, to present in public our brief on Bill 106.

We of the Big Game Committee of the Calgary Fish and Game Association have read and discussed the Wilderness Bill 106. We find ourselves taking issue with Sections 8 and 11, and make the following recommendations to the afore mentioned sections:

Section 8 - As written and to the end of Subsection 3.

Subsection 4 - Where any permit, right or license has been issued under the Public Lands Act 1966, the Forests Act 1961, the Mines and Minerals Act 1962, or any other Act, and such Act permits or allows the responsible Minister to cancel or terminate any such right or license, there upon any lands being incorporated into a Wilderness Area, such cancellation shall be effected by the responsible Minister. No such permit, right or license shall be granted in any part of a Wilderness area after the passage of this Act.

Previous Subsection 4 as written now becomes Subsection 5.

May Our Sons Enjoy Tomorrow What We Conserve Today



Page 2.

Section 11, Subsection (1) subject to Subsection (2), no person shall:

(a) - As written.

(b) - Enter or travel within a wilderness area except for the purpose of walking, hiking, skiing, snowshoeing, boating, fishing or bicycling provided that a Wildlife Management Unit is incorporated into a Wilderness area. The Game Act shall apply to all or a portion of such Wilderness area. Anything in this Act to the contrary is notwithstanding.

(c) - As written.

(d) - As written.

Subsection 2 - As written.

May Our Sons Enjoy Tomorrow What We Conserve Today

No 4

B R I E F

O N T H E P R O P O S E D W I L D E R N E S S A R E A A C T

B I L L 1 0 6

RESPECTFULLY SUBMITTED,



DOUGLAS BELYEA,
214 - 14 AVE. N. E.,
CALGARY, ALBERTA.

JULY 29, 1970.

Mr. Chairman:

After giving close attention to the proposed Wilderness Act, there are several points that come to mind that should either be eliminated or rewritten.

Such as:

(1) - The provisions made do little to protect these areas from private enterprise.

For example, coal mining, oil and gas exploration, cattle grazing, pipelines, lumbering, can be carried out due to previous Crown commitments no longer making this a Wilderness Area.

(2) - There is no protection of our "natural" watershed.

(3) - There is no mention of hunting in these areas, which at this time I feel must be carried out in order to gain and maintain a healthy and stable condition of our wildlife in their natural habitat.

We must fully protect these areas for an everlasting natural heritage.

No 5

A BRIEF CONCERNING BILL 106

THE PROPOSED WILDERNESS AREAS ACT

RESPECTFULLY SUBMITTED,

Laverne R. Lunan

LAVERNE R. LUNAN,
9207 - FAIRMOUNT DRIVE S. E.,
CALGARY 30, ALBERTA.

JULY 29, 1970.

Mr. Chairman and Members of Committee:

As a concerned individual, I am pleased to see that the Minister of Lands and Forests, the Honorable Dr. J. Donovan Ross, has decided to hold Public Hearings to allow the Citizens of the Province of Alberta to express their opinions on Bill 106, the proposed Wilderness Areas Act.

I must, though, take issue with certain sections of this proposed bill and areas that I feel have been left out whether by oversight or intention.

Under Section 5, Subsection 1, I would like to see the word "shall" in place of the word "may" to read:

5 (1) - The Lieutenant Governor in Council shall establish a Committee called the "Advisory Committee" etc.

I would also suggest that this committee be composed of a cross section of people throughout the province who are in Fish and Game Organizations, Conservation Groups, Wilderness Associations etc. If not possible, this "Advisory Committee" should keep a close liason with these organizations to have their points of view on the Wilderness Areas.

Section 7 (b) - I would like to see the word "natural" inserted between "stable" and "watershed" to read:

(b) - For the maintenance of stable natural watershed conditions.

Section 8, Subsection 1 - Amended to read:

8 (1) - Subject to Subsections (2) and (3), no disposition shall be made by or on behalf of the Crown of any estate or interest in public lands in a Wilderness Area under any Provincial Act.

Section 11, Subsection 1 - I have two areas of concern here and will deal first with an addition: Inserted as (e) - Graze cattle or livestock in a Wilderness Area.

I find it difficult to believe that the person or persons drawing up this act have excluded hunting of big game or birds while allowing fishing, etc.

We have created an unbalance in nature with our economic endeavors for the "betterment" of our province for its people. We have destroyed most of the natural predators that keep nature's scales level. This leaves "Man" the only real predator left. The onus falls on him to take over this duty and assist nature.

I believe that hunting should be allowed in these Wilderness Areas. This "Harvest of Our Wildlife" should remain under the management of the present Fish and Wildlife Department and be allowed according to their specifications.

I would like to query the author or authors of the proposed Bill.

1. "Who will mind the store?" - There has been no stipulation as to who will be responsible for administering to these Areas. I would suggest that people entering these areas be required to fill out a registration form similar to that required by hikers, etc. in National Parks.

This would be for their own safety and would also be a way of checking on the number of people using the Wilderness Areas.

#2. To my knowledge under present treaties with the Federal Government, the Canadian Indian may hunt or trap at any time of the year on any land owned by the Crown. Will the proposed Act have the authority to overrule these Federal Treaties and keep the Indians from hunting and trapping in these areas if either is not to be allowed?

The purpose of this Act is to maintain these areas as nature and God intended so that our future generations may enjoy this natural heritage and not have to visit zoos, game farms, museums, read books or watch films to see what was there before.

We must not allow industry or business of any sort into these areas. The moment you allow mining or oil exploration, pipelines, logging, livestock grazing, dams etc., you have made a farce of the purpose and intent of the Wilderness Act. The proposed "Advisory Committee" should be the main counsel when considering any changes to the Act and its recommendations should be seriously considered.

611

B R I E F

ON THE PROPOSED WILDERNESS AREA ACT

B I L L 106

RESPECTFULLY SUBMITTED,

Gordon H. Lunan

GORDON H. LUNAN,
9207 - FAIRMOUNT DRIVE S. E.,
CALGARY 30, ALBERTA.

JULY 29, 1970.

Mr. Chairman and Selected Committee:

While studying Bill 106 on the proposed Wilderness Areas Act, I became aware that hunting would not be allowed in Wilderness Areas. As hunting is presently allowed in our Wilderness Areas, I wonder why it has been left out of the proposed Act.

The supervised control of Big Game and Bird Game hunting is an important part of helping maintain the balance of nature which man has upset. We have eliminated most of the predatory animals that have kept this balance and it is now up to us to fill the gap.

These Wilderness Areas should fall under the control of the Department of Fish and Wildlife and hunting should be carried out according to their supervision as is presently done in Wildlife Management Units.

It is also my opinion that the Act has left provisions for Coal Mining, Oil and Gas Exploration and Private Enterprize as a whole to exploit these areas. These provisions give little or no consideration to our wildlife or their habitat.

I further feel that unless drastic steps are taken to protect this wildlife and their habitat, true nature as we know it will soon be a thing of the past for us and our future generations.

7
July 29-1970

To the Chairman and Members of the Committee :

First let me commend Dr. J. Donovan Ross and members of his Committee who are responsible for calling a public hearing such as this on establishment of Wilderness Areas, mainly Bill 106.

I would like to suggest the following changes in Bill 106 :

1. There seems to be no mention in the Bill regarding cattle grazing in a Wilderness Area ; I believe a regulation should be incorporated into Bill 106 which would not allow the grazing of cattle in a Wilderness Area.
2. Section 11, Sub-section 1B should have an addition to permit the hunting or harvesting of Bird Game and Big Game, leaving the decision to officers in charge of the particular Wildlife Management Unit in which a Wilderness Area is established.
3. I believe also that a Registration or Check Point should be established on the same basis as in our National Parks regulations. Anyone entering a Wilderness Area would advise members in charge as to the length of time such person or persons expects to stay within the Wilderness Area, so that a search for possible lost persons could take place almost immediately.

Thank you for taking my views into consideration.

Respectfully submitted



Harry Sikora

1011-18 ST N.E

CALGARY 62, ALTA.

Mr. A.M. Schwartz

(8)

Submission to the Government of Alberta
Department of Lands and Forests
Concerning Bill 106
An Act Respecting Wilderness Areas
Presented by the Bow Valley Naturalists

The Bow Valley Naturalists comprise a group of approximately seventy independent citizens of Banff, Canmore, Seebe and Calgary who share an interest in Natural History and Wilderness Conservation. We are also members of the recently formed Federation of Alberta Naturalists.

We are interested in the fact the Province of Alberta has drafted a Wilderness Act, and we commend the Province and its Department of Lands and Forests for this and for their holding public hearings on the proposed act that we and other interested parties may express our encouragement for legislation of this nature and have a voice in its ultimate form. We are concerned however about certain points which may need clarification, strengthening, and about certain aspects of the administration of the proposed act.

In view of the increasing awareness that wilderness areas may have an accrued value in the years to come, due to their increased rareness and the tendency of populations to become larger and more urbanized, it seems imperative that wilderness areas preserve as much of their primitive quality as possible. One could speculate that the potential value of land as wilderness may in time exceed the value that extractive industries can derive from it; therefore it seems incumbent that claims and permits that have not been activated in wilderness areas and proposed wilderness areas should where possible be reacquired by the Provincial

authorities before the qualities that distinguished the wilderness areas are eroded and whittled away.

Specifically then in regard to the proposed act we make these recommendations:

Section 5 (1) We are concerned that the "Advisory Committee on Wilderness Areas" have among its non-government members individuals with a specific concern and particularized knowledge of wilderness concepts and recreation. Appointments to the committee should perhaps be the charge of the Environmental Conservation Authority;

Section 6 We feel it might be advisable for the Advisory Committee to hold yearly hearings in both Edmonton and Calgary;

Section 9 The difficulties of administering mines and oil leases in Wilderness areas are recognized. Provision in the Bill for assuring adequate reclamation measures or payment of damages in default of reclamation should be included;

Section 11 We note the absence of camping and hunting in the specific list of 11 (1) b, both of which activities we feel can be reconciled with notions of wilderness. Also we feel there is a definite possibility that wilderness areas may yet be established where trapping and hunting are traditional activities of the area, which should not prevail against their possible classification as wilderness areas. Can the Act as proposed handle these activities? Maintenance of resident wildlife populations or re-establishment of same should be the primary concern rather than the commercial value of such activity;

Section 12 We question the use of the word "person" and suggest "party" or "person or corporation". Inasmuch as extractive industry is to be allowed in wilderness areas it seems to us fines and penalties proposed are light for first and second offenders in the corporate designation, unless a string restitution clause be introduced.

Finally, we feel it is imperative no new leases for exploration and extraction within wilderness areas and proposed wilderness areas should be granted, and that provision for this clause should be made in the Act. A moratorium on claims in proposed wilderness areas.

In closing may we thank you for the opportunity you have provided the people of Alberta to make their feelings and desires known in what will definitely be an area of importance in preserving the quality of Alberta

that drew so many of us here in the first place. Proximity to wilderness has always been a part of our way of life - hence the preservation of wilderness is rightly a concern for all of us who cherish what the land has meant to us.

Appendix "A" from "Wilderness and Recreation",
Report to the Outdoor Recreation Resources
Review Commission by the Wildland Research
Center, University of California, published
by the Sierra Club, 1962. A letter (in part)
by Wallace Stegner.

"Let me say something on the subject of the kinds of wilderness worth preserving. Most of these areas contemplated are in the national forests and in high mountain country. For all the usual recreational purposes, the alpine and forest wildernesses are obviously the most important. But for the spiritual renewal, the recognition of identity, the birth of awe, other kinds will serve every bit as well. Perhaps, because they are less friendly to life, more abstractly non-human, they will serve even better. On our Saskatchewan prairie, the nearest neighbour was four miles away, and at night we saw only two lights on all the dark rounding earth. The earth was full of animals - field mice, ground squirrels, weasels, ferrets, badgers, coyotes, burrowing owls, snakes, I knew them as fellow creatures, and I have never been able to look upon animals in any other way since. The sky in that country came down clear to the ground on every side, and it was full of great weathers, and clouds, and winds, and hawks. I hope I learned something from knowing intimately the creatures of the earth; I hope I learned something from looking a long way, from looking up, from being much alone. A prairie like that, one big enough to carry the eye clear to the sinking, rounding horizon, can be as lonely and grand and simple in its forms as the sea. It is as good a place as any for the wilderness experience to happen; the vanishing prairie is as worth preserving for the wilderness idea as the alpine forests."

THE ALPINE CLUB OF CANADA

Canada's National Mountaineering Club



CALGARY SECTION
BOX 1265
CALGARY, ALBERTA

A BRIEF TO THE GOVERNMENT OF ALBERTA

on

BILL 106:

An Act Respecting Wilderness Areas

Calgary, Alberta
July 29, 1970

THE ALPINE CLUB OF CANADA

The Alpine Club of Canada was founded in 1906 and incorporated three years later. The objectives of this club include promoting safe and enjoyable mountaineering, conducting and sponsoring scientific research, preserving the natural beauty of the mountain places and of the fauna and flora in their habitat, and educating Canadians in appreciation of their mountain heritage.

There are now approximately 1300 members in the Alpine Club of Canada; and, as with many nation-wide organizations, it became necessary to form local sections. So the Calgary Section of the ACC was formed shortly after organization of the national club and now has a membership of 250.

The name of our organization implies a concern primarily with the alpine regions in our country. But these areas are only a small part of the total landscape that we feel needs protecting and preserving.

THE ALPINE CLUB AND BILL 106

The introduction of Bill 106: An Act respecting Wilderness Areas into the Alberta Legislative Assembly came at a time when public and group interest in wilderness preservation was on the upswing. The government is to be commended both for introducing this bill and for holding public hearings to discuss this bill. We are hopeful that these public hearings will lead to a continued dialogue between the Government of Alberta and the citizens of the Province on matters concerning wilderness areas in Alberta.

The Calgary Section of the Alpine Club of Canada endorses the idea of one strong legislative act to establish and protect the wilderness areas of Alberta. We do feel, however, that Bill 106 requires certain modifications to make it the type of bill that can give adequate protection to these areas so they truly will be preserved for future generations.

COMMENTS ON BILL 106

Our committee has worked quite closely with other groups in analyzing Bill 106. Our comments on the strengths and weaknesses of this Bill will therefore parallel others. Comments submitted by the Calgary Section of the Alpine Club of Canada begin with Section 3.

SECTION 3: We do not feel that land being considered for a wilderness area must necessarily be public land. Also, for adequate protection, wilderness areas must be established by Legislature rather than by Order in Council. This will give more permanence to wilderness areas that are established since we also recommend that the same condition apply to withdrawing lands from a wilderness area. We recommend that Section 3 be changed to read:

3. (1) The lands within the area described in a Schedule promulgated by the Legislature are hereby established as wilderness areas.

3. (2) A reference in the Schedule to a township, section, quarter section or legal subdivision shall, in respect of unsurveyed territory, be deemed to refer to what would be a township, section, quarter section or legal subdivision if the land were surveyed in accordance with The Alberta Surveys Act.

SECTION 4: The definition of a wilderness, to give adequate meaning to what is to be protected, must be strong. We have divided Section 4 into subsection (1) and subsection (2). We have left in (1) because it very ably shows the purpose of a wilderness and because it specifically mentions protection from "impairment" and "industrial development." We have added (2) to more fully define wilderness. Section 4 would now read:

4. (1) Wilderness areas are established for the purpose of preserving their natural beauty and wilderness character and protecting them from impairment, settlement and industrial development, and thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations.

4. (2) A wilderness in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are relatively untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined in the Act to mean an area of relatively undeveloped land and water retaining its primeval character and influence, without permanent improvements, which is protected and managed so as to preserve its natural conditions and which

(a) is affected primarily by the forces of nature with the imprint of man's work substantially unnoticeable;

(b) has outstanding opportunities for solitude;

- (c) is of sufficient size to
 - (i) allow two day's walking in any direction, or
 - (ii) contains a viable ecological unit of sufficient size to afford protection for such large animals as bears, cougars and wolves; and
- (d) may also contain ecological, geological, or other features of scientific, educational or scenic value.

SECTION 5: Possibly through an oversight, (1) reads that "The Lieutenant Governor in Council may establish a committee..." This should read "...shall establish a committee..." For the reason of ensuring varied representation on the Advisory Committee on Wilderness Areas, the non-governmental members of this committee should be appointed by the Environment Conservation Authority (2). Again in (3) the word "may" should be replaced by "shall." Just as Section 3 should not permit establishment of wilderness areas by Order in Council, so should (5) (c) of Section 5 not allow for withdrawal of land from a wilderness area by Order in Council. If land must be withdrawn, this must be done in Legislature. The Advisory Committee, instead of making recommendations for withdrawing land, should be empowered to recommend compensation for expropriation of land in a wilderness area. Our amended Section 5 would read:

5. (1) The Lieutenant Governor in Council shall cause to be established a committee called the "Advisory Committee on Wilderness Areas" consisting of five or more members, one of whom shall be designated as Chairman

5. (2) A majority of the members appointed shall be persons who are not employees of the Government, and the non-governmental members shall be appointed by the Environment Conservation Authority.

5. (3) The Lieutenant Governor in Council shall authorize, fix and provide for the payment of remuneration and expenses of any of the members of the Advisory Committee who are not employees of the Government.

5. (4) The Advisory Committee shall meet at the call of the Chairman.

5. (5) The Advisory Committee shall from time to time consider and make recommendations to the Minister for

- (a) establishing a new wilderness area, or
- (b) adding land to an existing wilderness area, or
- (c) setting compensation for expropriation of land in an existing wilderness area, in a proposed wilderness area, or in a proposed addition to a wilderness area.

5. (6) The Advisory Committee shall refer any recommendations

made by it under subsection (5) to the Environment Conservation Authority for its consideration.

SECTION 6: The Advisory Committee should meet at least twice a year and in two locations. This will more effectively maintain a dialogue with the public. It is suggested that these meetings be held in both the northern and the southern parts of the Province. Again, 6 (b) should not provide for the withdrawal of land, by the Minister, from a wilderness area. Section 6 would now read:

6. The Advisory Committee shall, at least twice a year or more often as required, hold public hearings, one north of Red Deer and one south of Red Deer for the purpose of receiving and hearing submissions and representations respecting

(a) any recommendations made by it under Section 5, subsection (5), or

(b) any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any land to an existing wilderness area.

SECTION 7: It is difficult to comment on and make specific recommendations on this Section. It appears that the specifications in this Section would best be covered in a Management Policy for Wilderness Areas. We recommend that Section 7 be rewritten to provide for the writing of a Management Policy that will ensure that natural conditions are maintained in wilderness areas. Section 7 would read:

7. The Minister shall charge the Advisory Committee to write a "Management Policy for Wilderness Areas" which will meet the requirements of Section 4. No portion of this Management Policy shall allow for the alteration of the natural flora and fauna except as permitted in Section 11 (2), and that this Management Policy shall include the restoration of natural conditions where the works of man have already intruded.

SECTION 8: To protect wilderness areas from mineral exploitation this Section should provide for the expropriation of non-public land with appropriate compensation. We recommend that this Section read:

8. (1) No disposition shall be made by or on behalf of the Crown of any estate or interest in public lands in a wilderness area by any Provincial Act.

8. (2) Where there has been any previous disposition of any estate or interest in public lands or there are any private lands in a wilderness area, such estates or interests or private lands should be expropriated.

8. (3) Where estates or interests in public lands or private lands are expropriated under subsection (2) the person or persons subject to such expropriation shall be entitled to compensation determined

by a hearing before the Advisory Committee on Wilderness Areas.

SECTION 9: It is impossible to consider Sections 8 and 9 separately, so all comments here can be applied to the previous section. Many groups feel that Section 9 is unnecessary if Section 8 is amended as suggested. We agree, but we are making two alternate proposals for Section 9, one of which provides for control of extractive industries in wilderness areas in case they are permitted.

Sections 8 and 9 are the most critical parts of this entire Bill, for they allow mineral exploration, recovery and transportation to invade wilderness areas. It is indeed difficult to conceive of a "wilderness" area where these extractive industries are permitted -- mineral exploration, extraction and transportation are totally irreconcilable with the wilderness concept and purpose as stated in Section 4. This Section 4 which serves to protect a wilderness area by defining it in highly specific terms, will be entirely meaningless (in fact the whole bill will become meaningless) unless mineral operations are forbidden in wilderness areas. We recommend that wilderness areas be specifically exempted from the Right of Entry Arbitration Act and all other existing and future acts that may provide for mineral exploration, extraction or transportation or any other man-made alterations.

Our alternate and less preferable recommendation is that very strict regulations be included in Bill 106 to ensure that whatever limited mineral exploration, extraction and transportation which may be permitted in designated wilderness areas will cause a minimum of ecological disturbance.

Our recommended changes to Section 9, in order of preference, are:

9. All wilderness areas shall be exempt from any Legislation or regulation that would permit such land to be made available for mineral exploration, extraction or transportation, or any other activities which would interfere with and alter the primitive and unviolated character of the wilderness areas.

OR 9. (1) All mineral recovery operations in wilderness areas shall:

(a) be conducted in a manner to be determined by the Advisory Committee on Wilderness Areas, such operation to cause minimal ecological damage;

(b) be serviced only by a minimum of roads; no roads shall be constructed until it is determined by the Advisory Committee on Wilderness Areas that such roads are warranted; and

(c) not pollute land, air or water.

9. (2) For mineral transportation from or through a wilderness area, all facilities shall:

(a) be of such nature as to cause minimal ecological damage;

(b) be checked and kept in good repair to prevent leakage and pollution; and

(c) be serviced only by those trails and roads necessary for maintenance.

9. (3) The operators of such mineral exploration, recovery and transportation as may be permitted in wilderness areas shall, upon completion of operations, be responsible for the elimination of all signs of their activity.

9. (4) Contravention of this Section shall result in liability as determined in Section 12 (2).

SECTION 10: We recommend that Section 10 remain unchanged.

SECTION 11: Section 11 should read:

11. (1) Subject to subsection (2), no person shall

(a) travel in a wilderness area by any motorized means,

(b) fly an aircraft lower than 2000 feet above the highest point in the wilderness area, or

(c) leave any sign of his visit.

11. (2) The use of whatever means of transportation or equipment which is necessary and the doing of any act in connection with

(a) the prevention or extinguishing of forest fires, or

(b) emergencies involving the health or safety of persons shall be permitted in wilderness areas.

11. (3) Hunting shall not be permitted in a wilderness area.

11. (4) A person who contravenes subsections (1) or (3) is guilty of an offence and liable on summary conviction to a fine of not less than \$50 and not more than \$500 and in default of payment to imprisonment for a term not exceeding three months and restitution of any damage caused.

SECTION 12: The inclusion of a section outlining penalties for violating wilderness areas is a highly commendable and necessary section of this Act. We do, however, feel that Section 12 needs strengthening. First of all, the phrase "lawful justification or authority..." needs clarification. Destroying, damaging or polluting any land, water plant life or animal life in wilderness areas can only be permitted as stated in Section 11 (2).

Our second criticism of this section is that, in this Act, corporations are not held liable for damage they cause until their third offence. Their presence in a wilderness area is most unwelcome, at least from our point of view. We are therefore recommending that Section 12 be changed in such a manner that corporations are liable for conviction

after their first offence (Section 9). We have purposely omitted corporation penalties for subsequent offences because we feel they do not deserve a second chance. Instead all privileges of operating in wilderness areas should be taken from offending corporations. Section 12 would now read:

12. (1) Any person who, without lawful justification or authority as under Section 11 (2) destroys or damages or pollutes any land, water, plant life or animal life in a wilderness area is guilty of an offence and liable on summary conviction:

(a) for the first offence, to a fine of not less than \$50 and not more than \$1000 and in default of payment to imprisonment for a term of not more than 60 days and restitution of any damage caused;

(b) for a second offence, to a fine of not less than \$1000 and not more than \$5000 and in default of payment to imprisonment for a term of not more than 120 days and restitution of any damage caused;

(c) for a third or subsequent offence to imprisonment of not less than one month and not more than six months and restitution of any damage caused.

12. (2) Any corporation or other enterprise which destroys or damages or pollutes any land or plant life in a wilderness area beyond reclamation of the land and flora, or which pollutes water or destroys animal life is guilty of an offence and is liable

(a) to a fine of not less than \$10,000 and not more than \$50,000,

(b) for total restitution of damage caused, and

(c) to the automatic loss of rights to operate in wilderness areas.

SECTION 13: We recommend that this Section be unchanged.

SECTION 14: Since Alberta's existing wilderness areas were established under separate acts, we recommend that Bill 106 supercede all these existing acts to give uniform and adequate protection to all wilderness areas in the Province. It is also essential that, once this bill is accepted, immediate steps be taken to bring existing wilderness areas up to the standards of Bill 106. Section 14 would now read:

14. This Act shall

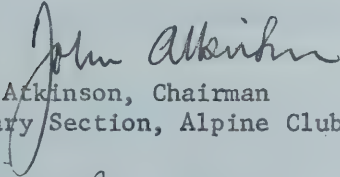
(a) come into force on the day upon which it is assented to,

(b) supercede all existing wilderness legislation, and

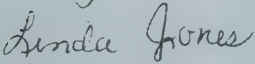
(c) be implemented immediately to bring the existing wilderness areas in the Province up to the standards of the Act.

We again wish to commend the introduction of Bill 106: An Act respecting Wilderness Areas into the Alberta Legislative Assembly. If we have appeared to be unduly harsh in our treatment of this bill, it is because we wish to see wilderness areas protected from any threats and uses that would reduce their value as wilderness areas.

The provisions in the original Act for the establishment of an Advisory Committee on Wilderness Areas, for public hearings to be held in the Province after passage of the Act, and for stiff penalties for the contravention of this Act are similarly praiseworthy.



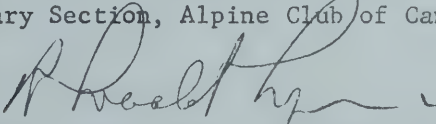
John Atkinson, Chairman
Calgary Section, Alpine Club of Canada



Linda Jones, Conservation Committee
Calgary Section, Alpine Club of Canada



A.M. Schwartz, Conservation Committee
Calgary Section, Alpine Club of Canada



R. Donald Lyon, Executive Committee
Calgary Section, Alpine Club of Canada

cc: Mr. Phil Dowling, President, Alpine Club of Canada
Dr. H.W. Habgood, Chairman, Conservation Committee, Alpine Club
of Canada
Mr. Floyd Stromstedt, President, Alberta Wilderness Association
Dr. H. Buckmaster, Chairman, Calgary-Banff Chapter, National and
Provincial Parks Association of Canada
Mr. Gavin Henderson, Executive Director, National and Provincial
Parks Association of Canada

Gentlemen,

I wish to thank the Minister, Mr. Donovan Ross, for giving us this opportunity to speak on Bill 106, the proposed Wilderness Act and in connection with this I make the following observations and recommendations.

Section 3 (1) The lands within the area described in a Schedule promulgated by the Legislature are hereby established as wilderness areas and not as in the proposed act by Lieutenant Governor in Council.

Section 7 (b) Amend to read: for the maintenance of stable natural watershed conditions.

Section 8 & 9. Totally unsatisfactory as written in the proposed bill. Destroys entirely the intent of the Bill for wilderness areas.

8 (a) could read:- If we are to have wilderness areas as described above, no Provincial Legislation should be able to supercede the intent of Section 8 (a). No commercial development should be allowed.

Section 10 (a) to read:- no person shall travel in a wilderness area except on foot, on horseback, or by means of a vehicle or boat that is not motor powered and must be registered with the nearest forestry officer at point of entry.

add (e) No livestock whatever shall be allowed in a wilderness area.

Section 12 (e2) In my opinion the penalties as set out in this section are completely and totally unrealistic in regards to corporations. The fine as stated is not less than \$10,000 and not more than \$50,000. I feel this fine should be a minimum of \$1,000 per day until all damage is restored to original condition. This restoration to be at the corporations expense. A fine of this nature is much more realistic to a corporation.

- 2 -

With these or similar amendments included in the legislation, I feel that the Provincial Government will have taken a great step forward for future generations and make an ecological benchmark for all to see of nature that has not been interfered with by man.

In closing I would respectfully submit a request to the Minister of Lands & Forests for a copy of the new bill when it comes before the legislature.

Respectfully Submitted

by J. W. Forster

4602 FERDAM CRES.

CALGARY 23. Alberta

(11)

A BRIEF ON WILDERNESS AREAS IN ALBERTA:
THEIR SIZE, DISTRIBUTION AND USE

Prepared for presentation at the Public Hearings
on Wilderness Bill 106, Calgary, 29 July 1970.

John Marsh, Chairman,
Survival Day, Alberta,

Box 511, Sub P.O. 91,
The University of Calgary,
Calgary 44, Alberta

For many people it is no longer satisfying to hear that the Gross National Product has increased, that Calgary has more cars per capita than any other city and that dozens of new dams are planned for Alberta. It is not reassuring to know that coal sales to Japan and water sales to the U.S.A. are going to increase, and that Calgary may eventually reach one million. Will this one million, hopefully 'human' beings, have progressed; will the quality of life have improved if the values, variety and heritage of our province's wild landscapes are gone? I think not, yet while it will be evident this evening that few deny the need for wilderness, on a spatially finite earth, such as ours, where land use demands are conflicting and increasing, the amount and distribution of wilderness will often provoke debate. This brief aims at focussing attention on problems relating to the size, distribution and use of wilderness areas in Alberta.

How much wilderness area do we need? To determine this let us look at the functions of wilderness. Firstly such areas serve to protect rare flora and fauna, unique landscape features and typical examples of a country's natural habitats. Unlike museums wilderness areas attempt to preserve cherished features in their natural dynamic context. Thus, to protect species like wolves or bears we may need hundreds of square miles, if viable populations are to be maintained without habitat deterioration. Furthermore, as is proposed for the national parks, wilderness areas should be surrounded by buffer zones that give some protection from outside threats like pollution or the impact of other external land uses. Clearly detailed ecological studies are required for the determination of wilderness area and buffer zone boundaries.

Wilderness areas are needed for scientific research and outdoor education. By minimizing man's impact in a wilderness area it is possible to gain some understanding of how systems functioned before, or apart from, man, and further, it enables us to assess man's impact or progress in other areas. Wilderness serves to educate the majority of people who normally only see urban or man-dominated landscapes. It provides opportunities for the features and processes learned in the classroom to be observed, analysed and placed in context in the field.

Wilderness areas also have a function as storehouses for clean air and water, for wildlife and as sources of species that may one day prove useful to man. Only fools with infinite technological optimism would ransack such storage areas or make them so small as to be fragile and ineffective.

Finally we come to the most publicized and most anthropocentric use of all - recreation. It should always be remembered that this is only one function and the other aforementioned uses may sometimes be in conflict with, and have precedence over, man's leisure needs. In deciding on the area necessary for wilderness recreation at least three factors require consideration: first, the capacity of the area to withstand use without environmental deterioration, in the long run. Even on foot, a 150lb human has an impact on the landscape; he compacts the soil, brushes and breaks plants, transports seeds; he may pick up flowers, fossils and firewood and he often leaves garbage or lights fires. With increasing numbers of people the impact is intensified, especially in high alpine areas or tundra where the vegetation is fragile and slow to recover. The human impact is of course greatly increased if horses, snowmobiles or trail bikes are employed for transport.

Secondly, we must realise that a high quality wilderness experience often depends on remoteness from civilization and its artifacts. A human being twenty miles from the nearest road, car or house will usually enjoy a distinctive experience that differs from that encountered one mile from man's works. Perhaps in a definition section in Bill 106 some minimum sizes for wilderness areas, like those suggested in American legislation, could be included. While a minimum diameter of 30 miles might be suggested it is perhaps more realistic, in view of differences in terrain, to specify size in terms of average hiking times and declare a minimum diameter of two days walking as desirable.

Thirdly, it must be recognised that high quality wilderness experiences depend upon solitude and the absence of man-made noise. Thus Robinson Crusoe's solitary experiences on a wilderness island changed markedly after the arrival of Man Friday. In wild country, as occasionally in the city, two may be company but three a crowd, and one hundred fellow travellers may represent very unwelcome overpopulation. Eventually a point will be reached when one may gain more solitude on a summer Sunday in downtown Calgary than on the edge of Lake Louise. To ensure that the wilderness itself and the experience it provides do not deteriorate necessitates that large areas be set aside if recreation demands are to be met. Even when the recreation load is spread over many areas limitations on use will have to be imposed and some areas may be closed from time to time to allow for recovery. Such a situation has already been reached in parks like Yellowstone and Yosemite. Nearer home, conditions at Waterton and Lake Louise are nearing this point and recently a campground in Glacier Park, B.C. was closed because of pollution problems. When Calgary reaches the million mark and masses of people come from Japan, Europe and the U.S. by jumbo-jet to seek solitude in Alberta, we may make money, but we will be hard pressed to accomodate them. Furthermore the demand for other aforementioned wilderness uses will be no less and probably greater than at present.

Not only must we preserve wilderness of adequate quantity and quality but in a province that includes so many diverse landscapes an adequate variety of areas should be set aside. Familiarity may breed boredom, if not contempt, so if the unexpected is to be a feature of the wilderness experience, we need to reserve as many different landscapes as possible. Furthermore, as in the past, recreation fashions may change, especially if manipulated by advertising and big business, so that areas other than the mountains may gain in appeal. While we have concentrated efforts to date on protecting the conifer clad front range mountains we have done little to establish wilderness areas in the rolling foothills, in the arid badlands or in the park and lake country of the north. The absence of hearings in Medicine Hat is perhaps indicative of our tradition-bound unwillingness to look east - yet in the eastern part of the province we don't even have national parks, but we do have people. And while in future Alberta's population will be highly mobile and concentrated in a few major centers attempts should be made to provide adequate wilderness within a reasonable distance, perhaps 150 miles.

Finally, we must not presume that if an improved wilderness bill is passed we can forget the subject. Even with National parks and provincial wilderness areas there will still be a need, and scope, for other types of wild land protection. Small natural areas in the cities are fast succumbing to development and need protection if they are to survive as readily accessible areas for relaxation, education and aesthetic appreciation. The proposed MacEwan areas and existing wildlife refuges and bird sanctuaries need support and protection.

Eventually we should have a properly legislated and managed system of land units that will range from vast untouched mountain wilderness areas to small islands of natural beauty in the Bow River in Calgary. Bill 106, if strengthened, can help to establish and maintain

in perpetuity such a system, but size, distribution and variety factors need closer attention. Then we may be more hopeful than the Albertan junior school student who wrote:

GONE FOREVER

What has gone forever?
The woodland and the old frontier.
Now is the time of automation,
Gone forever is the old-time fear
Of being lonely.

The rough times are gone,
Yes, gone and lost forever.
Even mighty rivers are gone,
Gone is the wild land
And here is the tame.

No more is the six-gun,
And gone is the one who used it.
Here is the meek man,
Gone is the wild.
Yes, this and more is gone forever.

Gordon Lipon (Div. II)

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ENVIRONMENTAL INFORMATION SERVICE

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JUNE 1970

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CANADIAN PARKS IN PERSPECTIVE

Based on the conference
The CANADIAN NATIONAL PARKS
TODAY AND TOMORROW
Calgary, October 1968

Edited by J.G. Nelson
with the assistance of R.C. Scace



CANADIAN PARKS IN PERSPECTIVE
SBN 88772-106-0. (paper) SBN 88772-107-9 (cloth)
Copyright © Canada 1969 by Harvest House Ltd.
First Edition - March 1970
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Library of Congress Catalogue Card No. 70-105905.
For information address Harvest House Ltd.
1364 Greene Avenue, Montreal 215, Quebec, Canada.
Printed and bound in Canada.

MAINTAINING THE WILDERNESS EXPERIENCE IN CANADA'S NATIONAL PARKS

JOHN S. MARSH*

INTRODUCTION

Land-use problems are growing in the national parks as is recognition of the need to "manage" parks and wilderness. There are external pressures tending to reduce the area of parks and wilderness and pressures and management problems within wilderness areas. It is essential to consider how such pressures and problems relate to recreation and how, in the future, the Canadian National Parks can provide for the increasing number of visitors seeking a high quality wilderness experience.

The term "national parks" is taken to embrace all parks designated as such and presently included in the system administered by the National and Historic Parks Branch, Department of Indian Affairs and Northern Development, Canada. These parks are varied in size, character and history yet have many important common characteristics. Many include unique or classic examples of scenery, flora and fauna. Though man's impact has not been excluded¹ they owe a good deal of their present character to the policy of landscape preservation that has prevailed with varying intensity over a number of decades. They lie at one end of a landscape spectrum that has at the other end the largely artificial environment of the modern city. Some parts of

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the parks, through isolation and neglect, have retained a character almost unaltered by man. Other, larger areas have undergone some, often subtle, changes but the absence of such permanent features, as housing, roads, industry, and major recreation facilities has left them relatively unchanged and unspoiled. For the purposes of this paper areas within the parks that exhibit these characteristics may be termed "wilderness."² On this basis large sections of the national parks can still be defined as wilderness though it must be remembered that landscapes having wilderness qualities grade gradually into those without, making a precise delimitation of the wilderness very difficult.

Wilderness areas in the parks fulfil a number of functions, for example, as wildlife sanctuaries, floral preserves, and science research areas. However, the character, accessibility and management of many areas in the parks have made recreation the most obvious and significant land use. The types of recreation that can be undertaken in a wilderness area are restricted, usually non-facility-oriented and include, hiking, riding, man-powered boating, cross-country skiing and snowshoeing, fishing, camping, mountaineering, nature study, photography and painting. Such activities may be grouped under the term "wilderness recreation."

The people that engage in such recreation react to wilderness and enjoy what may be termed a "wilderness experience." This frequently comprises a mixture of feelings such as peace, solitude, surprise, fear and communion with nature. The type and quality of this experience varies with the individual, and is influenced by a number of factors such as the character of the area, the mode of travel and activities involved and the person's socio-economic and cultural background. There are variations in the individual's concept of what constitutes wilderness and what detracts from or heightens the recreational experience. However, the sustained, repeated and increased use of wilderness in the national parks, and studies of wilderness users, indicate that the parks serve to provide most wilderness users with a satisfying high-quality experience.³

This paper is intended to indicate some of the problems and possibilities involved in providing for high-quality wilder-

ness recreation or a wilderness experience in Canada's National Parks in the future.

PROBLEMS

Despite a long-standing policy of land-use control and preservation there are certain actual or potential land uses likely to change the parks and reduce the area of wilderness.

Resource-based industries such as lumbering and mining were established in areas that subsequently became parks. Their influence on the landscape was often quite marked and continued within the parks well into the era of preservation. In Banff, Yoho and Glacier National Parks quite considerable areas were operated or reserved as timber berths.⁴ Some of these timber berths may still be utilized today, and the possible impact of this activity demands that such a potential land use within the parks should not be overlooked. Mining and quarrying also have occurred within many parks. For example, in Banff Park coal mines were operated at Anthracite and Bankhead as late as 1904 and 1923 respectively.⁵ Indeed, for a while, such features were regarded as an interesting and valuable aspect of the Park. Today, unsightly gravel pits continue operating in many parks. Although present legislation prohibits prospecting and the staking of claims in the parks, existing valid claims must be seen as a possible land-use pressure in, and threat to, the parks and wilderness.

Park lands have also been used for grazing livestock as is the case in Riding Mountain National Park.⁶ Currently, this is a localized and minor land-use pressure, but it is a precedent, and its expansion, perhaps in the form of game ranching, might influence park wilderness areas.

The potential of the western cordillera for water storage and power development was recognized early and reservoirs and hydro plants were constructed in some parks. For example, in Banff Park, Lake Minnewanka was dammed and used for power production.⁷ Such water bodies may sometimes be attractive foci for recreation but they can also be a threat to the quantity and quality of the park wilderness. As demands for water and power continue to increase further pressure to develop sites in the parks can be anticipated.

Since the establishment of trails in park areas there has been a continued expansion of routeways in and through most parks. In Banff, Yoho and Glacier Parks the building of the C.P.R. in the 1880's resulted in major and permanent land uses and landscape changes.⁸ Construction involved clearing and earth removal and was accompanied by widespread fires and game depletion. More recently roads, and associated features like car parks, and service stations, have become major and expanding uses and modifiers of park land. Although route development decreases, subdivides and modifies the area of park wilderness, expansion of the network seems inevitable. The Trans-Canada Highway has been doubled for much of the distance between Calgary and Banff Park. With increasing traffic in the Park a similar expansion of the Trans-Canada westwards through the Park can be expected. There is also a strong possibility that more scenic access roads will be built, for example, in the Cascade and upper Red Deer Valleys of Banff Park.⁹ The likelihood, and influence, of such route expansion on the Park wilderness should not be underestimated.

The agency administering and operating a park invariably requires land for office buildings, stores, maintenance depots and housing. Even when limited in extent such areas are often unsightly, as for example, the maintenance yards at Lake Louise and Rogers Pass. When functions are centralized a townsite may develop and expand as shops and community facilities are required. Such development is especially likely when the town also serves as a visitor centre.¹⁰ Thus, there are townsites, such as Banff, Jasper and Waterton, within the parks. The expansion and multiplication of administrative centres, visitor centres and recreational facilities poses a great threat in maintaining the area and quality of park wilderness. Recreation in the mountain parks began with the arrival of C.P.R. and the development and promotion of a tourist spa at Banff. From the beginning, recreation was facility-oriented and as tourism increased places of accommodation and entertainment, trails, roads and services multiplied. Today the demand for facilities, such as motels, campgrounds, ski lifts, and access roads continues. In satisfying such demands, the area and quality of wilderness have always been sacrificed.

In the early years of the parks mechanized transport was relatively inflexible and restricted to a limited number of prepared routeways. Access to areas away from rail and road was on foot or horseback. Today, wilderness areas are vulnerable to invasion by more flexible machines, notably trail-scooters, ski-doo's, power boats, planes and helicopters. Such machines, through wear and tear, pollution and noise, can soon damage wilderness areas and the wilderness experience. Some legislation exists to restrict such pressures but precedents have been established and this potential threat to wilderness and wilderness recreation does not seem to be fully appreciated. For example, use of ski-doo's has been permitted recently in sections of Banff Park. This may only be an experiment, but a precedent has again been established, conflicts with cross-country skiers have occurred and the impact on wildlife is scarcely known.

There are a large number of existing and possible land uses in the national parks. Individually such uses may seem insignificant but together they exert formidable pressure. In competing for land within the parks they place particular pressure on the size and quality of the wilderness areas. Legislation and management techniques have not yet proved adequate to resolve conflicts and to guarantee protection of high-quality wilderness areas. Precedents have been established in permitting certain uses, yielding to and encouraging others, that are not compatible with wilderness conservation.

As a result since the establishment of most national parks there has been a gradual diminution of the wilderness area. This trend seems likely to continue until public pressure or legislation halts it. Not only will the area of wilderness be less but it will be distributed in smaller units as routeways and recreational developments expand. The remaining wilderness will contain land that is largely unsuitable for other purposes, for example, high mountains, rocky shores, and its value as wilderness recreation land may also be limited.

Certain areas will no longer be viable ecological units and their size will render them more susceptible to external influences, such as noise pollution.¹¹ Even if external pressures are restrained, and large areas reserved, maintenance of wilderness for a high-quality recreational experience will depend upon the solution of many internal pressures and

problems. Most national park wilderness areas have a number of functions: for example, floral and faunal sanctuaries, typical ecological units, natural science research areas, education and recreation areas. In large wilderness units conflicts between such uses may be minimal but in smaller units, especially where recreational use is intense, problems may arise.

The preservation of endangered plant and animal species may pose many problems where wilderness recreation is intense and unrestricted. The current survival of the whooping crane can be partially attributed to the fact that it breeds in a remote and seldom visited section of Wood Buffalo National Park.¹²

The rarity of a species may even attract visitors thus narrowing further its chances of survival. In California, for example, some groves of trees like the giant sequoia, may be endangered by visitors compacting the ground surface and otherwise influencing the environment.¹³

The unfortunate incidents between grizzlies and recreationists in Glacier Park, U.S.A., in 1967 and in Banff and Jasper Parks in 1968, further illustrate the possibility of conflict between certain wilderness uses.¹⁴ Wilderness areas have a unique and essential role as natural science research areas,¹⁵ but again land-use conflicts may occur. The research may require certain facilities such as temporary housing, instrumentation or mechanical transport that influence the character of the area. Thus glacier research projects in the Rockies have required construction of temporary huts, and the use of ski-doo's and helicopters. Restrictions on human or animal movements may also be required. Failure to note possible conflicts may reduce the quality of several land uses.

Today it is generally accepted that to achieve the many purposes of wilderness conservation, a policy of management rather than simple protection of the landscape is required. While some of the ecological factors involved in wilderness management have been studied the implications for maintaining quality wilderness recreation have been neglected.

Several decades of quite effective landscape protection in the national parks have produced certain problems. In the more remote areas of parks, like Glacier, man-made fires

were rare and protection has produced high proportions of mature trees and deadfall thus increasing the fire hazard.¹⁶ Where protection followed extensive burning, as in the Bow Valley of Banff Park, large areas of even-age lodgepole pine have replaced a forest more varied in age and species.¹⁷ To produce and maintain a forest on a sustained basis and to prevent the eradication of certain habitats, techniques such as selective burning and logging may have to be employed in park wilderness areas. With careful management and modern control methods such practices might be used very effectively to achieve specified and ecological goals. However, the impact of these operations on wilderness recreation would require study. Logging and purposeful burning have been absent from most parks for many years and accidental and natural fires have been quenched as fast as possible. A sudden change in policy toward fire and logging could meet considerable resistance from recreationists and might initially detract from the experience of many wilderness users.¹⁸

Because of habitat changes, selective protection of animals and for various other reasons it will also be necessary to manage the fauna.¹⁹ For example, in Banff Park elk must be culled from time to time to prevent overpopulation and the associated problems of overgrazing and disease. Because such practices influence the wilderness environment and seem somewhat contrary to the preservation philosophy their impact on the wilderness user and the quality of his experience must be considered.

It may be considered necessary and desirable to eliminate pests or diseases by spraying, as in the Grand Teton National Park, U.S.A., or by introducing predatory species.²⁰ One can expect the use of such techniques to have an influence on wilderness recreation, as well as ecology, and their introduction must be considered in this light.

Many management techniques will be more directly concerned with wilderness recreation and the impact of these on the ecology will also require close investigation. For example, the impact of trails, campsites and horse grazing on wildlife merits study.

The recreational use of wilderness areas has increased markedly in the last two decades and the trend seems very

likely to continue.²¹ As increasing numbers of recreationists concentrate on diminishing areas of wilderness the pressure on the environment mounts and the quality of the wilderness and the recreational experience are threatened. In some places and at certain times the situation is already critical, for example around Lake Louise in Banff Park.²² The wilderness user has a direct though often subtle impact on the environment that may not be perceived until critical. Plants are picked and trampled, grass grazed and ground compacted. Some plant communities may quickly be degraded or eradicated by even moderate pressure of this kind. Apart from exerting wear on the environment, recreationists cause pollution. In particular, litter accumulates along intensively used trails and water and noise pollution may also occur. More permanent and widespread damage results when fires are started accidentally in back-country areas.

In wilderness areas managed for recreation, as in the national parks, minimal facilities are often provided. Such facilities, as trails, campsites, signs and emergency huts cause changes in the landscape but often they avert the likelihood of more drastic modification. However, as recreational use increases so does the demand for more, and often better, facilities until the area's wilderness character is completely lost.²³ Deciding on what facilities are required to protect the environment and how many can be tolerated in a wilderness area is a difficult matter.

With or without facilities wilderness areas gradually deteriorate under recreational pressure and only careful management can maintain the quality of the environment and the wilderness experience.

Even when man's impact on the environment is minimized the quality of the wilderness experience will fall if recreational pressure causes crowding or conflicts between activities.²⁴ Many people visit wilderness areas to "get away from it all", to seek peace and solitude. The quality of such an experience will often be inversely related to the intensity of use in the area.

As wilderness use increases conflicts between recreational activities develop and threaten the quality of the experience. Thus trails used by hikers and riders, as in the Lake Louise

area of Banff Park, may prove unsatisfactory to both groups when usage is heavy.²⁵

The quality of the wilderness experience can only be maintained if adequate areas are reserved where environmental deterioration, crowding and user conflicts can be minimized and counteracted.

POSSIBILITIES

The quality of the park wilderness area and the wilderness experience can only be maintained if adequate areas are protected against external land-use pressures, on a long-term basis. To be adequate, wilderness areas must be of a character and size that allows them to function as ecological units. To satisfy recreation needs they must be accessible and large enough to allow several days continuous wilderness travel.²⁶ Such units can still be maintained in most national parks if the basic purpose of parks is re-emphasized, legislation is strengthened and zoning adhered to.

If timber berths and mining claims lie within wilderness areas, as in Yoho and Glacier Parks, such areas can only be safeguarded by buying out the owners, even if the cost is high.

The establishment of new national parks and wilderness areas is a possibility that must be regarded as essential.²⁷ Such areas might be operated federally or jointly, with provincial and other agencies. An expansion of the wilderness system would reduce internal pressures on park wilderness and provide a better choice and distribution of areas. Such areas can, however, only fulfil this role if legislation guarantees their survival and quality as wilderness. The term "wilderness area" must mean more than land not yet required for other purposes, as so often applies today.²⁸ The possibility also exists of using land outside the national parks to satisfy those land-use pressures that threaten wilderness within the parks. For example, use of the Kananaskis area of Alberta for facility recreation development might reduce the external pressures on wilderness in Banff National Park.²⁹

The designation of adequate wilderness areas inside and outside the parks can only be done successfully with a detailed historical-geographic and ecological investigation and inventory as a basis. This would also provide information

for deciding on use priorities, management techniques and long-term planning. It may be necessary and desirable to zone wilderness, establish priorities for each zone and manage accordingly. Such a system must, however, be flexible to respond to changing ecological conditions and land-use needs.

Recreation will probably make the heaviest demands on wilderness in the future. To maintain the quality of the wilderness and wilderness experience new management techniques will be required. In determining the type and quantity of recreational use permitted in any area consideration must be given to the other uses of the area, management techniques, the capacity of the area to sustain use, and the availability of alternatives.

In some areas the present minimal facilities and regulations regarding wilderness recreation will be adequate to ensure maintenance of the quality of the environment and the recreational experience.³⁰ Elsewhere, and increasingly, as recreational pressure mounts, greater protection of the environment and further restriction of use will be required. The development of more and better minimal facilities in presently neglected areas is a possible short-term development. For example, more trails and wilderness campsites in Glacier National Park would make the Park more attractive and help cater for the growing demand for wilderness recreation.³¹

Areal and temporal zoning may also be employed to reduce pressure and conflicts. Certain trails may be allocated to riders and others to hikers or riding may be permitted at one time and hiking at another. However, eventually it will be necessary to book in advance or pay to gain access to certain wilderness areas. Such methods are already being applied in some countries and can be expected in Canada.³² In areas that have deteriorated badly public access may be prohibited completely until the area has recuperated. Where other land uses, for example, wildlife preservation, have priority, access may only be permitted to organized groups with an official guide.³³ It will be possible to maintain the quality of the wilderness and wilderness experience only if such management techniques are used and accepted. Such acceptance and support will require that the National and Historic Parks Branch expand its information and education

services. More interpretive centres, park naturalists and natural history publications are required.³⁴ Hopefully, other agencies, such as schools and outdoor clubs will help the public to understand the role and problems of wilderness conservation.

As the character of the wilderness, its users and problems change, there will be a need for continual research in park areas. Beginning with the basic inventory of parks it is possible that much work may be done on a contract basis using consultants and universities. Only by using current data and flexible management will the quality of the wilderness and wilderness experience be maintained in future.

SUMMARY

Increases in population, income, leisure time and mobility have led to much greater participation in outdoor recreation, including wilderness recreation. In Canada, the national parks have tried to accommodate recreation demands and other land-use pressures. This has had a detrimental effect on the area and quality of the wilderness. Land-use pressures and management requirements also pose problems within park wilderness areas. To maintain the quality of wilderness and the wilderness experience in the national parks a number of measures are essential.

Following research and inventory work, wilderness areas of adequate size to fulfil their functions must be selected and their existence guaranteed by legislation and adherence to zoning. Use of land outside the parks must be considered as a means of relieving internal and external pressures on park wilderness. Within wilderness areas land-use priorities must be established and flexible management evolved to maintain environmental quality and to accommodate the uses. To achieve success in developing and implementing plans and techniques greater emphasis must be placed on research and education concerning wilderness conservation and use. Trends in certain areas and other countries should serve as a warning and as a guide for those involved in maintaining the quality of the wilderness experience in Canada's National Parks in the future.

FOOTNOTES

1. For a case study of man's impact on the national parks

see A. R. Byrne, *Man and Landscape Change in the Banff National Park Area before 1911*. (Studies in Land Use History and Landscape Change, National Park Series, No. 1), Calgary, The University of Calgary, 1968.

2. The problem of defining wilderness is discussed in The Wildland Research Center, University of California, *Wilderness and Recreation—A Report on Resources, Values and Problems*. Study Report 3, Washington, DC, Outdoor Recreation Resources Review Commission, 1962, pp. 25-26.

3. Studies of wilderness use and users in Canada include G. B. Frittle, "Recreational Use and Wilderness Perception of the Algonquin Park Interior" (unpublished M.A. thesis, Clark University, 1964); G. D. Taylor, "A Survey of Visitors to Wells Grey Park, British Columbia," *Forest Chronicle*, 36:346-354, 1960; J. Thorsell, *Waterton Lakes National Park Visitor Use Survey, Part II, Wilderness Recreational Use*, Ottawa, National and Historic Parks Branch, 1967; Thorsell, *An Analysis of Mountaineering and Ski Touring Registrations, Banff National Park, 1966-67*, Recreational Research Report 32, Ottawa, National and Historic Parks Branch, 1967; and, Thorsell, *A Trail Use Survey: Banff and Yoho National Parks, 1967*, Recreational Research Report 33, Ottawa, National and Historic Parks Branch, 1968. Many other reports exist for areas in the U.S.A.

4. For Banff see Byrne, *op. cit.* p. 93.

5. R. C. Scace, *Banff: A Cultural-Historical Study of Land Use and Management in a National Park Community to 1945*. (Studies in Land Use History and Landscape Change, National Park Series, No. 2) Calgary, The University of Calgary, 1968.

6. D. A. Blood, *Range Relationships of Elk and Cattle in Riding Mountain National Park, Manitoba*, Canadian Wildlife Service, Wildlife Management Bulletin, Series 1, 19, 1966.

7. R. C. Scace, *et al. Proposed Itinerary and Notes for Rocky Mountains Field Trip, Sunday and Monday, May 26 and 27, 1968*. (Prepared for Canadian Association of Geographers Conference) Calgary, The University of Calgary, 1968, pp. 14-16.

8. Byrne, *op. cit.*

9. Fire roads already exist in the Cascade Valley and lower Red Deer Valley, Banff Park.

10. Scace, *op. cit.*

11. In Banff Park, railway engine whistles can be heard up to ten miles away sometimes. In Glacier Park, trucks crossing Rogers Pass can be heard several miles away, as can the gravel extraction operations.

12. N. S. Novakowski, *Whooping Crane Population Dynamics on the Nesting Grounds, Wood Buffalo National Park, Northwest Territories, Canada*, Canadian Wildlife Service Report Series, No. 1, Ottawa, 1966.

13. National Parks Association, "A Preliminary Wilderness Plan for Sequoia-Kings Canyon National Parks and the Surrounding Region," *National Parks Magazine*, 41 (232): 9-13, 1967.

14. The problem of bears and humans in Yellowstone National Park, is discussed briefly in: M. Zook, "Don't Feed the Bears," *National Parks Magazine*, 37 (189):7-9, 1963.

15. See: K. Curry-Lindahl, "Scientific Research in National Parks," *Trends in Parks and Recreation*, 5 (2):7-8, 1968.

16. The need to manage national park forests is stressed in: D. I. Crossley, "Forest Management in National Parks" (Brief submitted to the Standing Committee on Northern Affairs and National Resources), Jasper, 1966.

17. Byrne, *op. cit.*

18. One study of reaction to logging is: R. C. Lucas, *Visitor Reaction to Timber Harvesting in the Boundary Waters Canoe Area*, U.S. Forest Service, Research Note, LS-Z, Lake States Forest Experiment Station, St. Paul, Minn., 1963.

19. S. A. Cain, *et al.* "Wildlife Management in the National Parks," *The Living Wilderness*, 83:11-24, 1963.

20. A. Murie, "Pesticide Program in Grand Teton National Park," *National Parks Magazine*, 40 (225):17-19, 1966.

21. For trends in the U.S.A., see: *Outdoor Recreation Trends*, Washington, Bureau of Outdoor Recreation, 1967.

22. Thorsell, (1968), *op. cit.* pp. 43-44.

23. Thorsell, (1968), *op. cit.* p. 21, notes that in Banff

and Yoho National Parks there is a definite demand for improved facilities in the back-country.

24. The effects of crowding on wildland recreational quality are discussed in J. A. Wagar, *The Carrying Capacity of Wild Lands for Recreation*, Forest Science Monograph, No. 7, Washington, 1964.

25. Thorsell, (1968), *op. cit.* p. 20.

26. The significance of size in defining wilderness is noted in Wildland Research Centre, *op. cit.* pp. 18-19.

27. Some new national parks are being considered, for example, on the Pacific Coast and on the Prairies. More provincial wilderness areas are being established, for example in Ontario, Polar Bear Provincial Park, a 7,000 square-mile area fronting on James Bay and Hudson Bay.

28. Many so-called provincial "wilderness areas" have been influenced by non-compatible uses, such as mining. See "Memorandum on British Columbia's Parks Policy," *Park News*, 3 (2):5-8, 1967.

29. Certain recreation facilities have been provided and a ski area is being developed.

30. Whether such facilities will be *regarded* as adequate by recreationists is another matter.

31. Presently much of the park is inaccessible, even on foot, and there are no official back-country campsites.

32. For example in New Zealand and Poland.

33. This technique is employed in Natal and possibly elsewhere.

34. Comprehensive guides on most national parks are still not available and interpretive centres, such as have been developed in the U.S.A., are very rare.

GENTLEMEN:

As I see it, the purpose of this series of hearings is to poll public opinion in two areas - the philosophy of wilderness preservation and the adequacy of Bill 106 to establish legislated protection for such areas. The primary purpose may be deemed, by some, to be the former; I feel it is the latter!

With regard to the first area, I am in favour of establishing designated areas of Alberta - and other provinces too, for that matter - as wilderness areas. My reasons for this viewpoint may be summed up by the negative examples of destruction and havoc wreaked on the natural ecological balance by such activities as mineral exploration, strip mining, seismic activity, and other equally destructive products of the human race. Nature undisturbed is aesthetic and serene - can we not keep a portion of Her in that state?

Having established the direction in which to proceed, one could safely say that Bill 106 is a step in that direction. I am in favour of the Bill, in principle. Personally, I feel it is weak in some areas - these areas seem mainly to lack foresight. Section 5, subsection 5, virtually allows the formation of a wilderness area today and its potential deletion tomorrow - probably in favour of mineral exploration privileges - at the whim of the Advisory Committee. Formation, modification, and deletion of wilderness areas should necessarily be put before the Legislative Assembly of Alberta as a whole - Order-in-Council should not be sufficient for those functions!

Also, there seems to be no requirement that the Minister accept the recommendations of the Advisory Committee. This makes it seem a bit silly to invest the Committee with its responsibilities only to invest the Minister with veto power. The Act seems not definitely to exclude mineral activity; yet, by omission in section 11, subsection 1(b), hunting, camping, and looking at the scenery are prohibited. I feel the reverse should be the case!

These are my feelings, gentlemen, and I wish that they be recorded, as presented, in the minutes of this hearing.

Thank you.

A handwritten signature in cursive script, reading "R.A. Murch". The signature is written in dark ink and is positioned above the typed name.

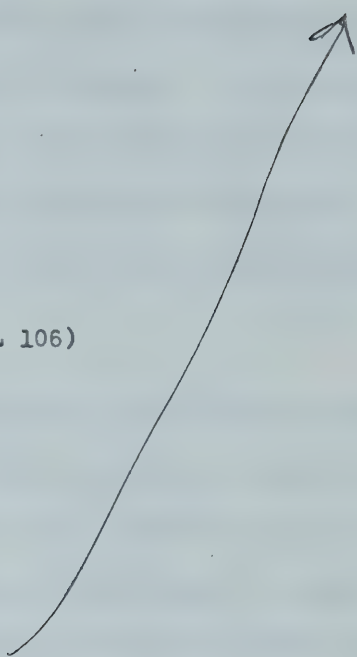
R.A. Murch

225 - 38 Avenue S.W.

Calgary 6, Alberta

BRIEF TO
THE
PUBLIC HEARING
ON THE
PROPOSED
WILDERNESS ACT (BILL 106)

BY
GRANT H. McNABB
#10 Eamons Bungalows
R.R. 4
Calgary



July 29, 1970

Dr. Wood, Gentlemen of the Panel, Ladies and Gentlemen.

My name is Grant Hastings McNabb, I reside at #10 Eamons Bungalows R.R.4 Calgary. I wish to speak in favour of a strong wilderness bill.

A strong wilderness bill is a must for Alberta. I do not believe that the current Bill 106 is strong at all. The submission of the Alberta Wilderness Assoc. is the minimum acceptable standard of legislation. This point is extremely important - we must have strong wilderness legislation.

A short recap of wilderness area history will reveal why this is so. The 4 current wilderness areas of this province are created under 1 Act, and the regulations under 2 different acts. The Willmore Wilderness Park Act (1959 c95 amended 1965 c101) does not even pretend to exclude mineral exploitation. Section 7 says "Nothing in this Act affects the administration and control of mines and minerals within the area of the Park".

This Act is in direct conflict with the statement of C.B. Harvie Director of Parks at the Canadian National Parks (today and tomorrow) conference. At this conference Mr. Harvie stated that parks areas in Alberta are classified by two principles:

- (a) nature and purpose of the area, and
- (b) degree of protection given to it.

Under nature and purpose areas are classified as follows:

- Class A Wilderness Areas--40,000 acres and up
- Class B Historical, Ethnological or Archaeological Areas
- Class C Unique Natural Areas or Monuments
- Class D Natural Environment Recreation Areas--500 acres and up
- Class E Specialized Outdoor Recreation Areas--intensively developed--less than 500 acres

Class F Parkways and Highway Parks

Under degree of protection, areas are classified as:

- Type 1 completely protected and dedicated to outdoor recreation and nature study only
- Type 2 primarily for outdoor recreation, lands reserved from sale but some resource exploitation may be allowed.
- Type 3 set aside for multiple resource use, with recreation as co-ordinate land use. Lands reserved from sale.

The parks in the provincial System are classified as:

Class A1	Acres
The Willmore Wilderness	1,135,872
Ghost River Wilderness	37,850
The Siffleur Wilderness	101,843
The White Goat Wilderness	312,781 ..."

From Appendix I, page 496

Our four wilderness areas are classed A1. This is the way it should be, but it is not. This is why we need strong legislation to protect these areas.

Let us look at the Willmore Wilderness. (Show map obtained from the Technical Division, Dept. of Mines and Minerals entitled Smoky River Area and showing the Willmore Wilderness Park. The map is dated June 8, 1970.) The original boundaries are shown in red. Since 1959, several boundary changes have taken place. You can see how much land has been removed in the Grand Cache and Rock Lake areas. Even now there are leases and exploration permits in the wilderness area. This should not be, but the Act allows it.

The green lines denote an area that is not for disposal according to the map. We phoned the Technical Division of Mines and Minerals to find out what this means.

To our utter astonishment it meant that the government was holding this land from traditional coal claims. The land is going to be sold at auction as is done with the oil and gas leases. This is incomprehensible--~~a~~ great part of this land is in the Wilderness Area. This is not right. The law must be changed.

There must be no mineral exploration, leases, or development in a wilderness area. If leases or permits do exist they should be purchased so that the wilderness lands have no legal encumbrances.

Any change to wilderness boundaries must be made by amending the Act on the floor of the Legislature. (It is interesting to note that I could not find the Order-in-Council changing the boundaries of the Wiltmore Wilderness even though I checked all the Regulations pertaining to the Wiltmore Wilderness Park Act.)

It is important, gentlemen, to remember that wilderness exists on 2 levels. One is the physical attributes of the land and the other, the way people think about an area that has solitude peace and beauty. We call this latter the wilderness experience.

The wilderness experience is impossible if the physical conditions are absent. In order to preserve these physical conditions of isolation and grandeur the wilderness must be protected--from those who would exploit it and--from those who would love it to death. Access to a wilderness area must be ^{through} ~~have~~ a so-called buffer zone. This would guarantee protection from overuse simply by difficulty of getting into it by foot travel. If even this is not sufficient then rationing of use must take place by the use of travel permits.

This is extremely necessary if we are to make provision for

protecting this valuable wilderness resource as the demand for its use increases.

One final method of protection of our wilderness areas and, indeed, our whole environment should be adopted by our government. There should be an Act that allows "anyone to file suit to protect the air, water, and other natural resources" such as wilderness. (See Appendix 2.) In this Act in the State of Michigan "not even the State is immune". An Act such as this would add immeasurably to the protection offered by a strong wilderness Act.

The time is short. Let us have a strong wilderness act.

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Appendix 1

THE PROVINCIAL PARKS OF ALBERTA

C. H. Harvie*

Parks in Alberta had their beginning with the establishment of the Hot Spring Reserve in 1885, an area of ten square miles near the townsite of Banff. However, provincial parks did not come into being until after the Province of Alberta took over the jurisdiction of its natural resources in September, 1930. No clear record appears to be available as to when the first municipal park was conceived and established.

There are five national parks in this province and without the inclusion of Wood Buffalo National Park these account for 4,506,880 acres.¹ The provincial parks in all categories account for an additional 1,718,681 acres. No concise acreage figures are available for municipal parks, but I would estimate that at least an additional 5,157 acres can be included in this category. This acreage plus a smaller amount from private enterprise parks could conceivably account for 9,490 square miles of park area within a province of 255,285 square miles, or roughly 3.71 per cent of the province.

It would be presumptuous of me to attempt to talk or write about any type of a park outside the Alberta Provincial Park System, however,

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this paper will deal with the role and planning of provincial parks.

Their History

Alberta's Provincial Parks are an entity which date back over thirty-five years. The Provincial Parks System had its inauspicious beginning on May 15, 1932, with the establishment of Aspen Beach Park.

Until the transfer of the jurisdiction of parks within the province to the Department of Lands and Forests on April 1, 1951, the development of parks was guided by the Department of Public Works. Since this Department also was responsible for roads, the parks were the responsibility of each district road engineer with a very meagre supply of funds, as can be shown by the following extracts from departmental files:

In connection with the estimated expenditure of \$622.49 less 25% discount for extra loam and to haul water the Board accepts the offer, however this expenditure would of course necessitate the deletion of the other items on the appropriation for this year. (1931)

I am returning under separate cover your book of plans. Such is of little service to us and I would, therefore, ask you to kindly return the sum of fifteen cents which we have had to expend in connection with postage. (1932)²

Earlier parks were established on sites which had a close proximity to populated areas, and as modes of travel were not as efficient as those of today, the more populated areas of the province contained the greatest number of parks.

During the 1950's, public interest in parks increased greatly and additional leisure time together with improved transportation required that more attention be given to parks and recreational land requirements. Park development in Alberta has aimed at providing family unit recreational opportunities; namely, bathing beaches, camping and picnic areas, and where possible, boating and fishing. The principle objective of site improvement has been an endeavour to

achieve a comfortable blend of essential development and natural environment.

With the fundamental and important obligation in the administration of parks being to preserve from impairment all significant objects and features of nature in the park, while providing the opportunities for enjoyment of the park and its natural recreational activities and developments in perpetuity,³ it was found necessary to define a Provincial Parks Policy. This Policy was tabled in the Provincial Legislature in March, 1967.

The Policy

The preparation of long-range plans for the development of a sound Provincial Park System and for each of the Parks, Historical Sites, Wilderness Areas, and Natural Areas in the System must take into consideration legislation, present and anticipated visitor use demands, potential additions to the System, character and capacity of individual parks, and most important, the ultimate objectives of each of the provincial park identities and of the System as a whole.

Within the Alberta Park System were areas with definite and distinct identities: these were all covered under one terminology of "Provincial Parks."

Categories of parks, their definition and purposes defined, were placed within the following categories:

Park. A tract of land offering a variety of outdoor recreational opportunities and containing areas of natural scenic beauty or historical significance. To provide recreational facilities in harmony with the preservation of significant geographical, geological, biological or historic features; but always so as to minimize impairment.

Recreational areas. A tract of land offering recreation opportunities which do not require the degree of protection sought by park status or having development standards which may be less exacting than

those of a park. To provide for popular outdoor recreation on intensively developed lands.

Historical sites. A site which has local or provincial importance for its cultural association such as old fortifications, petroglyphs and pictographs, Indian archaeological sites, etc. The purpose would be to preserve portions of the country's cultural heritage for interpretation and display in an appropriate manner and for scientific research.

Natural areas. A tract of land containing an ecological association which is desired to identify and preserve intact for its scientific or interpretive recreational interest or a unique natural area of outstanding scenic quality or a natural feature of special interest such as river canyone, spectacular waterfall, superb forest, unique geological feature, etc. The purpose would be to preserve the area or feature in the natural state for viewing and interpretation in an appropriate manner.

Wilderness area. A tract of undeveloped land set aside for the presentation of a natural environment, retaining its primeval character and influence, without permanent improvement or human habitation. The purpose is to provide opportunities to expand outdoor knowledge and recreation experience in natural wild conditions.

Roadside campsites. A tract of non-urban land adjacent to travelled routes providing camping and rest stops for the travelling public.

The following are extracts from the policy statement:

Wildlife and nature. Objects of nature in parks are important parts of the provincial heritage and should be preserved unimpaired for the benefit, education and enjoyment of future generations. The flora, fauna, soils and waters form the natural ecological communities in parks. The quality of beauty and wildlife in parks must be maintained in as completely a natural situation as possible. For this reason

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parks, excluding wilderness areas, must be retained as game preserves.

The following activities are detrimental to natural history values in a park:

- (i) Grazing of domestic livestock,
- (ii) Pollution of air, soil or water,
- (iii) The mining or harvesting of the resources of land or water including oil exploration and drilling,
- (iv) Granting of easements across park land for commercial purposes such as oil wells, pipelines, power lines, etc.

The construction of highways, fire roads, hiking trails, fences, townsites, artificial recreational developments and the like are detrimental to natural history values in parks, but, if essential should be developed so as to have the least possible impact on nature and natural features. Impairment to nature in general, caused by visitor use or developments aimed at improving visitor use of a park, should be kept to an absolute minimum. The character of special features of a park should not be altered. Good quality angling for visitor recreation should be encouraged. Public appreciation of natural history values must be developed through provision of nature trails, nature museums, nature guides, leaflets, lectures and other interpretative activities.

Forestry. The forests of the parks should be protected and maintained to preserve their natural recreational, scenic and other aesthetic values, and any use made of them should leave them unimpaired for the enjoyment of future generations. Only forest operations which are primarily concerned with the management of the forests for the protection and maintenance of park values should be permitted.

Commercial highways. Trunk highways passing through a park and designed for through or commercial traffic represent an intrusion. The only grounds on which a trunk highway for through or commercial traffic can be accepted in a park is if it is of sufficient importance

that the sacrifice of park values can be justified.

Park roads. A system of roads within a park, although an impairment, is necessary to allow visitors access to the park features so that they can enjoy and benefit from them. Roads must be located so as to reduce general impairment as much as possible. Roads should be designed to a good standard for safe driving, but not a sufficiently high standard to encourage high speed travel. The standard of the road should be in keeping with the character of the park and the purpose of the road.

Airfields. The provision of airfields in parks should be limited to the use for transportation of visitors to or from parks where there is sufficient land available and there is a definite need for this type of transportation.

Waterways and Boating. Since travel by boat is an acceptable means of park use and enjoyment and a means of access to points of interest in the parks, where factors such as the safety of swimmers, the limited size of a water body, or the wilderness character of an area require it, power boating may be limited or non-powered craft only may be permitted. The provision of accommodation for boats such as launching ramps, docking and associated shore facilities such as parking areas and toilet buildings, is an acceptable form of park development where it will facilitate park purposes. Such facilities must be separate from swimming developments since the two uses are quite incompatible. Accommodation for private boaters should be designed primarily for the small boats brought to the park by the touring visitor or vacationer. It should include launching ramps and parking space for cars and boat trailers as well as parking space for the overall boating accommodation.

Trails and footpaths. Travel in parks by foot should be encouraged. While the construction of trails for horses and footpaths does

not appreciably impair the landscape, care should be taken to avoid impairment as much as possible.

Camping. Camping is an activity closely related to the basic purposes of a park. Facilities and regulations for camping must be carefully planned to encourage this form of park use without sacrificing the natural park values that the camper has come to enjoy. Campgrounds with varying degrees of services are required.

Serviced campgrounds--where a formal layout is provided, but retaining tree cover as much as possible. This type of campground would be equipped with such facilities as flush toilets.

Semi-Serviced campgrounds--the objective here would be to provide near natural camping conditions in prepared sites with only basic facilities provided. Facilities provided would be piped water, flush toilets if possible, and kitchen shelters if required.

Primitive campgrounds--would consist of little more than designated camping spots. They would be largely protective in that camping would have to take place in areas brushed out for that purpose.

Group camping developments. The leasing of land, and the construction of permanent buildings by private organizations (youth organizations, churches, clubs, etc.) is not permitted in parks.

Townsites. The leasing of lands for residential purposes whether for permanent residence or summer cottage use is not compatible with other park purposes.

Research. Scientific research for park purposes, such as management of the flora and fauna of the parks and the provision of data for park interpretation is considered an integral part of park operations. No research other than for park purposes, should be carried on in a park if suitable areas for its conduct can be found elsewhere.

Education and Interpretation. Interpretative services and qualified naturalists are required to assist the public to know and appreciate

the varied aspects of the natural scene. Methods of encouraging and helping park visitors to know and enjoy the natural features should include information on specific locations where various natural phenomena may be seen and studied. Details of the wonders of nature and history in each park should be made available to visitors through publications for self-guided tours, and directly by trained naturalists. A system of nature trails with various species identified on them is essential, with trail-side exhibits where convenient. Graphic displays, illustrated note sheets and pictorial panels in visitor centres as visual aids should augment this material. In campgrounds, museums and other buildings, naturalists should be equipped to give interesting nature talks illustrated by motion pictures and coloured slides.

Educating the public in the purposes of parks and how to use, know and enjoy them is recognized as one of our basic purposes. Interpretative services and qualified naturalists are essential to encourage and assist the public to understand, appreciate and enjoy all forms of nature which are preserved in these sanctuaries.

Recreation. Artificial or urban-type recreational developments will not be permitted in parks if their presence is not in harmony with park purposes, or causes impairment of significant natural or scenic values, or lessens the opportunity for others to enjoy the park. Only the wholesome outdoor types of recreation which are compatible with the natural atmosphere will be permitted. Artificial recreations in the individual parks should not be introduced to attract visitors who would otherwise not visit the park, or as a means of increasing visitation.

Classification of Provincial Parks

In planning a park system it is necessary to categorize and classify each identity within the system and in this regard we have used the Federal-Provincial Park Conference Park Classification System. The Park Classification System set up by the Conference classifies

parks according to two principles:

- (a) nature and purpose of the area, and
- (b) degree of protection given to it.

Under nature and purpose areas are classified as follows:

- Class A* Wilderness Areas--40,000 acres and up
- Class B* Historical, Ethnological or Archaeological Areas
- Class C* Unique Natural Areas or Monuments
- Class D* Natural Environment Recreation Areas--500 acres and up
- Class E* Specialized Outdoor Recreation Areas--intensively developed--less than 500 acres
- Class F* Parkways and Highway Parks

Under degree of protection, areas are classified as:

- Type 1* completely protected and dedicated to outdoor recreation and nature study only.
- Type 2* primarily for outdoor recreation, lands reserved from sale but some resource exploitation may be allowed.
- Type 3* set aside for multiple resource use, with recreation as a co-ordinate land use. Lands reserved from sale.

The parks in the provincial System are classified as:

<i>Class A1</i>	<i>Acres</i>
<u>The Willmore Wilderness</u>	1,135,872 ←
Ghost River Wilderness	37,850
The Siffleur Wilderness	101,843
<u>The White Goat Wilderness</u>	312,781 ←
<i>Class B1</i>	<i>Acres</i>
Athabasca Landing	3.02
Buckingham House	5.79
Bugnet Plantation	13.00
Coronation Boundary Marker	0.25
Early Man Site	1.00
Fort De L'Isle	107.20
Fort George	1.00
Fort McLeod	0.66
Fort Vermilion	2.00
Fort Victoria	0.80
Fort White Earth	5.48

Frog Lake Massacre	3.84
Hay Lakes Telegraph Station	0.89
Indian Stone Pile	3.75
Massacre Butte	1.00
Rev. George McDougall	0.46
Ribstones	2.00
Rocky Mountain House Fort	2.75
Shaw Woollen Mill	0.25
Standoff	0.89
Stephanson	12.00
St. Joseph Industrial School	0.36
Twelve Foot Davis	2.10
Old Women's Buffalo Jump	8.16

<i>Class C2</i>	<i>Acres</i>
Big Hill Springs	62.94
Bragg Creek	160.00
Cypress Hills	49,620.00
Dinosaur	22,072.40
Kootenay Plains	8,580.00
Writing-On-Stone	1,055.10

<i>Class D2</i>	<i>Acres</i>
Beauvais Lake	786.19
Big Knife	731.50
Bow Valley	2,309.36
Bragg Creek	302.47
Crimson Lake	7,878.29
Cross Lake	4,126.05
Entrance	6,617.50
Lesser Slave Lake	17,852.26
Moose Lake	1,719.00
Long Lake	1,726.47
Moonshine Lake	1,922.00
Pembina River	408.76
Sir Winston Churchill	591.40
Thunder Lake	513.67
The Vermilion	1,929.33
Winagami Lake	2,952.00

<i>Class E2</i>	<i>Acres</i>
Aspen Beach	232.14
Dillberry Lake	219.83
Homay	16.43
Jarvis Bay	215.89
Kinbrook Island	95.00
Lac Cardinal	320.40
Little Bow	272.16
Little Fish Lake	151.21
Ma-Me-O Beach	4.00
Miquelon Lake	883.79
O'Brien	21.80

100-100000

Park Lake	184.29
Red Lodge	158.97
Rochon Sand	158.00
Saskatoon Island	251.34
Taber	127.01
Wabamun Lake	692.38
Williamson	44.62
Willow Creek	75.60
Woolford	86.51
Garner Lake	146.55
Gooseberry Lake	128.00
Pigeon Lake	313.00

<i>Class F2</i>	<i>Acres</i>
Tillebrook Campsite	180.96

The Future

While the greater concern of national parks is the preservation aspect, provincial parks are more activity-oriented. Therefore, there is never any thought of competition, but rather one system complementing the other.

The jurisdiction of recreational resources is spread over several agencies within the provincial government and to indicate the recreational alternatives to both the national and provincial parks there are 85 municipal parks, 240 highway campsites and 95 forestry campsites listed within the province.⁴

Alberta's parks have experienced the same increase in patronage use that is being felt nationally, and more consideration must be given to the increase of cost of park development and operation. It is quite conceivable that the park user will be required to bear a greater share of these costs in the near future, through the implementation of increases in the fee structure for park use.

Provincial park research in the past few years has been directed more than ever before towards the requirements of the total recreation picture of the province and the part that the Provincial Parks System plays in this picture. The Federal-Provincial Parks Conference Outdoor

Recreational Demand Study that is underway is one very necessary tool in this regard. More and more consideration is being given to the concept of regional demands for park services, as well as preservation of sites for recreation. For a number of years the province has been reserving lakeshore lands with the realization that summer recreation is so strongly water-oriented.

The Provincial Parks Division is undertaking a complete review and reassessment of the Provincial Parks System within the province and if necessary is prepared to redesign to meet present and projected public need within the scope of the provincial budget.

FOOTNOTES

¹ Federal-Provincial Parks Conference Classification Statistics, 1967.

² Department of Lands and Forests (Alberta), Provincial Parks General Files.

³ Alberta Provincial Parks Policy Statement, March 1967.

⁴ Alberta Government Travel Bureau, *Alberta Approved Tourist Accommodation Guide*, 1968.

International Demand Study that is
in this regard. More and more contribution is being given to the
of regional demands for basic services, as well
For a number of years the
and realization that
is no strongly water-saturated.

The Provincial Water Division is
and assessment of the
is necessary in preparation to
which must include the

Department of Water and Power

Director General
Department of Water and Power

APPENDIX 2

2 THE CALGARY HERALD Tuesday, July 28, 1970

World Datelines...

[Compiled from Herald News Services]

Tough Anti-Pollution Law

LANSING, Mich. — Governor William Milliken of Michigan has signed a law that permits anyone to file suit to protect the air, water and other natural resources. Not even the state is immune from court action.

In signing the bill Monday, Milliken said Michigan is the only state to have such a law. He urged other governors to support such legislation in their states. A similar measure also has been introduced in the United States Congress.

Under the new law's sweeping provisions, effective Oct. 1, a citizen could ask the courts to shut down a company for contaminating a waterway, challenge regulations of state agencies as too lenient toward industry, or sue a neighbor for fouling the air with a trash burner.

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100 DUNDAS STREET, TORONTO 1, ONTARIO TEL. EM-6-3494 (AREA CODE 416)
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Box 608, Sub P.O. 91
Calgary 44, Alberta



14

A BRIEF TO THE GOVERNMENT OF ALBERTA
ON

1970 BILL 106: AN ACT RESPECTING WILDERNESS AREAS

CALGARY, ALBERTA

JULY 29, 1970

Robert Scott

OF TRUSTEES

Benitz, Toronto, Ont.
Bruce, Toronto, Ont.
Conway, Puslinch, Ont.
Gagart Cowan, Vancouver, B.C.
Cragg, Calgary, Alta.
la Sabionniere, s.j.,
el, P.Q.
Denis, Montreal, P.Q.
Wns, Surrey, B.C.

Alfred P. Frame, Toronto, Ont.
Robin Fraser, Toronto, Ont.
Roderick Haig-Brown,
Campbell River, B.C.
Stephen Herrero, Calgary, Alta.
Harry D. C. Hunter, Vancouver, B.C.
Francis H. Kortright, Toronto, Ont.
John Lammers, Whitehorse, Yukon

Charles S. Lennox, Toronto, Ont.
F. Aird Lewis, Toronto, Ont.
Norman A. M. MacKenzie,
Vancouver, B.C.
Duncan A. MacLulich, Waterloo, Ont.
James G. Nelson, Calgary, Alta.
Philip W. Oland, Lancaster, N.B.
Howard Paish, Vancouver, B.C.

Douglas H. Pimlott, Toronto, Ont.
Edward C. Plow, Oakfield, N.S.
William O. Pruitt, Jr., Winnipeg, Man.
James W. Thorsell, Vancouver, B.C.
Jennifer M. Walker, Winnipeg, Man.
Richard E. Warner, St. John's, Nfld.
Catharine Whyte, Banff, Alta.
Jack Williams, Ottawa, Ont.

THE CHALLENGE

Roderick Nash: "The Canadian public's sensitivity to and enthusiasm for wilderness values lags at least two generations behind opinion in the United States. Canada . . . is currently at a posture regarding wilderness that the United States occupied in the late nineteenth and early twentieth centuries The lag of which I speak, while a half-century long, can, I think, be closed in far less time. As an American, I only hope that the conduct of my country towards wilderness will serve as both inspiration and warning to Canadians."

Douglas H. Pimlott: "I think there is an apparent gap of fifty years but there is not a real gap of fifty years Where leadership has been demonstrated the public has quickly followed and the gap from fifty years to the present has been closed in a few minutes."

Nash, an American, and Pimlott, a Canadian, expressed these views in Calgary, Alberta, in October, 1968.*

IN BILL 106 AN ACT RESPECTING WILDERNESS AREAS WE HAVE THE OPPORTUNITY TO VINDICATE A CANADIAN'S FAITH IN CANADA, ITS INSTITUTIONS AND ITS PEOPLE. THE ACT CHALLENGES US AS CIVILIZED PERSONS TO KNOW, APPRECIATE, SUPPORT AND MAINTAIN WILDERNESS IN ALBERTA. IN 1970, THE GOVERNMENT OF ALBERTA WILL LEARN THAT AS CIVILIZED PERSONS WE CAN INDEED RESPOND TO THAT CHALLENGE AND SUPPORT EVEN GREATER MEASURES TO PERPETUATE OUR HERITAGE.

*R. Nash, "Wilderness and Man in North America," p. 75; D. H. Pimlott, (p. 174) The Canadian National Parks: today and tomorrow (Calgary: The University of Calgary, 1969) Vol. I

I. THE NATIONAL AND PROVINCIAL PARKS ASSOCIATION OF CANADA: CALGARY BANFF-CHAPTER

The National and Provincial Parks Association of Canada was incorporated under federal charter in November, 1963, as a private, educational, non-profit organization, primarily to encourage the protection and preservation of parks having outstanding natural and/or historic significance; promote public appreciation and understanding both of the value of these parks and the problem of maintaining them for use and enjoyment without impairment; and to promote the expansion and development of national and provincial park systems to meet both present and future needs. Implicit in the purposes of the organization is the application of the above aims to all wildlands and outdoor recreational areas not necessarily designated as national or provincial parks but, nevertheless, set aside for the benefit, education, and enjoyment of present and future generations. The present membership of the Association is approximately 1400 persons.

Recognizing the need for greater participation by its members at the provincial and local levels, the Association has encouraged the establishment of chapters throughout Canada. There are two active chapters in Alberta—the Edmonton and Calgary-Banff chapters. The Calgary-Banff Chapter was formed in 1969 after initial public meetings the previous year. It represents about 180 citizens throughout southern Alberta.

The purposes of the Chapter are similar to those of the national organization. However, recognizing that it is impossible to consider the purposes, policies, land uses, and management of national and provincial parks without an appreciation of regional developments as a whole, the Chapter maintains a broad interest in the environment of southern Alberta, being particularly concerned with those areas designated as public lands.

II. GENERAL

The Government of Alberta is to be commended for introducing 1970 Bill 106: An Act respecting Wilderness Areas into The Legislative Assembly of Alberta and in holding public hearings throughout the province on the proposed content of the Act. Both the proposed Act and the public hearings are timely. The former seeks to resolve a situation whereby existing legislation, policies, and management practices for provincial "wilderness areas" in Alberta are quite incompatible with the definition and purposes of such areas as generally acknowledged in North America. Public hearings, hopefully, will provide for a meaningful and continuing dialogue between the Government of Alberta and the public of this province on proposals for legislation, management, and land use of wilderness areas—primarily public lands—set aside for the benefit and enjoyment of citizens of Alberta, Canada, and elsewhere. Heretofore, it has not been possible to initiate and sustain this type of dialogue.

The Chapter supports the proposed Wilderness Areas Act in principle, but suggests certain modifications to it. Moreover, it is felt necessary to emphasize the value of and need for wilderness areas and to comment upon the relationship of the Act and lands designated as wilderness areas to other legislation, policies, and practices associated with the management and use of related reserves in Alberta. This submission also draws attention to the importance of maintaining the dialogue between government and the public which has been made possible through the current series of public hearings.

A number of appendices have been included to emphasize the need for wilderness, its status in Canada, and suggested approaches towards its provision, management, and use.

III. THE VALUE OF AND NEED FOR WILDERNESS AREAS

The members of the National and Provincial Parks Association believe that the establishment of wilderness areas is a sound investment to help support the quality and diversity of experiences that are available to people in Alberta—both now and especially in the future. The lesson from history is clear. During the initial stages of colonization and development of an area "raw land," or wilderness, has little value. Man is too preoccupied with establishing the basic needs of life; with reshaping the immediate landscape to make it habitable for himself. However, as human population grows and the problems of the city emerge, the value of wilderness begins to develop. If planners do not look clearly into the future, all wilderness in an area may be replaced by human development, and unique opportunities be lost forever.

What opportunities and values does wilderness offer? Why do we need wilderness?

1. Wilderness areas, because of their total domination by the forces of nature, offer maximum contrast to the experiences possible in urban areas. Because the transition to urban life is proving difficult in cities throughout Canada and the world, wilderness areas and the experiences they offer can add greatly to the quality of life of the users. A study done by the U.S. Department of Agriculture states:

We could only conclude that wilderness visits are primarily motivated by desires to escape from the artificiality of civilized surroundings into natural settings where the necessity for primitive means of existence results in various (but undefined) emotional benefits to the participants."¹

¹John C. Hendee, W. R. Catton, L. D. Marlow, and C. F. Brockman, "Wilderness Users in the Pacific Northwest," Pacific N.W. Forest and Range Exp. St. U.S.D.A. Forest Service Research Paper PNW-6/, 92 pp. illus.

2. Alberta presently has within its borders a large percentage of the nation's National Park Land. Is additional wilderness needed and justified? Here we must look clearly to the future; if we do, the answer is "yes."

First, present users of wilderness tend to come from educationally and socially privileged classes. A study by Hendee² in the Pacific Northwest showed that 50 per cent of wilderness users came from the top 10 per cent of the area's income distribution, and 60 per cent from the top quarter of the income distribution. As level of education rises, we can project that demand for wilderness will increase. (Alberta is presently investing large sums to raise the general level of education.) Lucas,³ in studies done in the National Forests of the United States, reports ". . . since 1946 wilderness man-days have increased about 7-fold compared to a four-fold expansion in other recreation." A tenfold increase in use of wilderness by the year 2000 was projected by the Outdoor Recreation Resources Review Commission⁴ compared with three-fold or four-fold increases projected for other outdoor recreation. Clearly, wilderness is a sound investment for a healthy future.

3. Wilderness areas have tremendous value for scientific discovery and study and for outdoor education programs. Large areas are needed to preserve samples of certain natural ecosystems, especially those containing large migratory mammals. Here the wilderness biome becomes a great laboratory

²John C. Hendee, "Recreation clientele—the attributes of recreationists preferring different management agencies, car campgrounds, or wilderness in the Pacific Northwest" (unpublished PhD thesis, (1967) on file at the University of Washington).

³Robert C. Lucas, "The contribution of environmental research to wilderness policy decisions," J. Social Issues 22 (4), 116-126.

⁴Outdoor Recreation Resources Review Commission, "Wilderness and Recreation; a report on resources, values, and problems," Study Rep. 3, Univ. of California Wildland Research Center, 1962, 352 pp., illus.

containing unknown secrets of life—waiting to be discovered. Destroy the laboratory and these secrets die with it. The wilderness represents a standard of natural health and balance for plant and animal species; here there is maximum stability of the biota and maximum conservation of nutrients, coupled with great diversity of plant and animal species. The scientist, the student, and the layman each have a lesson to learn from wilderness areas.

4. Wilderness can have tremendous health and inspirational value for appreciative individuals, helping to develop the self in the broadest possible terms—a mental-physical balance, awareness, and integration. Visits to the wilderness can help to make us aware of the complexity and diversity of life; help us to discover our place in the earth's biota. Many psychiatrists have recognized the value of the wilderness experience—we quote only McKinley⁵ who concludes that "People . . . attain a sense of rejuvenation. . . . Commonly, they return with increased vigor, more optimism, and greater tolerance."

5. Wilderness and its recreational and associated health, inspirational, educational, and scientific values, has tremendous economic value. Camping equipment and supplies alone involved an annual expenditure of 5 billion dollars during the late 1960s in the United States.⁶

In addition, there are travel costs involved in reaching wilderness areas, self-maintenance while there, etc. Also important is estimating the wilderness users' willingness to pay for wilderness use, and estimating tangible benefits to society. Unfortunately, as of today, economics has

⁵Donald McKinley, "Psychology of Wilderness," *Mazama* 48 (B), 33-35, (1966).

⁶R. Kraus, "The Economics of Recreation Today," *Parks and Recreation* V (6), 19-21, 51-53, (1970).

not reached a level of sophistication sufficient for it to place a dollar value on health, inspirational, educational, and scientific values of wilderness.

6. Finally, the value of wilderness depends upon the human user, because value depends on people—their attitudes, education, insights, and opportunities. The value of wilderness will increase with education and opportunity—this we can clearly infer from the profile of wilderness users.

Value is also dependent upon availability, and this represents our plea for present and future Albertans—that significant tracts of wilderness in Alberta be set aside now while there is still the opportunity.

IV. EXISTING WILDERNESS LEGISLATION IN ALBERTA

Alberta's wilderness areas have been established under separate and distinct Acts. In 1959, the Willmore Wilderness Park was established by its own Act (the Act establishing this park bears much similarity to Bill 106). The Siffleur Wilderness Area and the White Goat Wilderness Area were established in 1965 under the Public Lands Act. Then, in 1967, the Ghost River Wilderness Area was established under authority of the Provincial Parks Act.

It is desirable to have all existing wilderness areas and those yet to be established protected by one strong Act that provides for uniform management and use—especially as protection of our provincial wilderness area is, at this time, minimal.

One highly commendable reason for the introduction of Bill 106 is to have all wilderness areas protected by a single Act. Successful passage of this Bill should supersede the existing Acts, giving uniform and adequate protection to all wilderness areas in Alberta. It is also important that,

once this Bill is accepted, immediate steps be taken to bring the existing wilderness areas up to the standards of Bill 106 as modified in this brief.

V. BENEFITS AND DISADVANTAGES OF "AN ACT RESPECTING WILDERNESS AREAS" WITH SUGGESTED REVISIONS TO BILL 106

In Canada, the senior governments have made only limited provision for strict control of wilderness areas, either through passage of appropriate legislation or the actual establishment of wilderness areas.⁷ The Wilderness Act in Ontario is the only Act specifically concerned with wilderness areas.⁸ Wilderness values are protected in many other categories of wildland reserves throughout Canada through the provisions of a variety of national and provincial Acts, primarily Parks Acts, whose purposes are generally quite broad-ranging. In consequence, management of these areas is not necessarily concerned with strict maintenance of wilderness conditions and, because of the application of zoning principles, true wilderness may be restricted to a relatively small percentage of any given reserve. For example, despite their considerable size, the Rocky Mountain National Parks may ultimately support only relatively small wilderness areas if they are improperly zoned and increasingly given over to the provision of facilities for a variety of outdoor recreational experiences.⁹

With this background, the introduction of a Wilderness Act in Alberta must be considered as an important and commendable event. In

⁷D. H. Pimlott, "Wilderness in Canada," (see Appendix A).

⁸The Wilderness Areas Act Revised Statute of Ontario, 1960, Chap. 432.

⁹See L. Brooks, "Planning and Canadian National Park Systems—Progress and Problems," The Canadian National Parks: today and tomorrow, Vol. II, pp. 871-877.

examining the content of Bill 106 we have found much that can be acknowledged as legislation appropriate to the establishment, management and use of reserves designated as wilderness areas. The advantages of the Bill as it stands may be summarized as follows:

(1) All wilderness areas will be established and managed under the provisions of one Act, thus terminating the unsatisfactory situation described in section IV of this brief.

(2) Wilderness areas will be placed under the control of the Minister of Lands and Forests, the government department in Alberta which is best qualified to administer such areas.

(3) An advisory committee will be set up to advise the Minister of Lands and Forests on matters pertaining to the management and use of wilderness areas. Wisely, the composition of the committee will be such that the majority of members will not be employees of the government, a situation which is commendable if employed to the advantage of wilderness areas, but quite unacceptable if employed only to endorse the policies and decisions of government administrators. Similarly, in passing copies of its recommendations to the Environment Conservation Authority, the Advisory Committee will be emphasizing the important role which members of the Authority must play in commenting whenever necessary upon the recommendations of the Advisory Committee. Thus, the members of the Authority, like those in the Advisory Committee, must be individuals capable of making independent decisions based on first-hand, scientific knowledge of the problem. Neither group can be made up of men unqualified for the post to which they have been appointed.

There are, however, disadvantages in Bill 106 as it is presently composed.

We do not believe that the Act has been prepared in such a way as to become an effective document for defining, managing and using areas set aside as wilderness. Hereafter are presented modifications to Bill 106, with an accompanying explanation as to why the changes would make the Act a much more effective piece of legislation.

A. Bill 106 does not consider private land for possible inclusion in wilderness areas. There is no valid reason why lands held in private hands cannot be considered for possible inclusion in a wilderness area.

Add 2. (e): . . . "private land" means land not owned by the Crown.

B. With Bill 106, as in so many other areas of Canadian legislation, the Lieutenant Governor in Council, rather than the Legislature, has authority to effect major decisions with respect to areas set aside under the Act. We cannot over-emphasize the importance of having the Legislature of Alberta held responsible for promulgating lands in the Schedule to the Act (as in withdrawing areas from that Schedule should this undesirable event be necessary upon rare occasions).

Amend 3. (1) as follows: The lands within the areas described in a Schedule promulgated by the Legislature are hereby established as wilderness areas.

C. We are aware of the problems inherent in defining "wilderness," and of the plethora of literature which is available on this subject.¹⁰ However, a practical definition of wilderness for the purposes of setting aside

¹⁰We may cite, for example, the publications of the Biennial Wilderness Conference of the Sierra Club (extracts from which are available in W. Schwartz (ed.), Voices for the Wilderness (New York: Ballantine Books, 1969). See also I. McT. Cowan, "Wilderness—Concept, Function and Management," The Horace M. Albright Conservation Lectureship VIII (University of California, School of Forestry and Conservation, 1968), 36 pp.

wilderness areas under wilderness legislation does seem to have been achieved in the United States. This particular act has been analyzed by many individuals, organizations, and agencies, particularly by the Wilderness Society.¹¹ The commentaries of Darling and Eichhorn (Appendix B) on the United States Wilderness Act are particularly pertinent because of their applicability to the Alberta situation. They say, in part, of that Act:

The act does not allow itself to be bogged down by any scientific criterion of wilderness, and wisely. In general a wilderness area will appear in essentials to be unaltered by man, but the act recognizes that secondary forest or grassland may still attain to wilderness quality. Happily, elimination of mining is envisaged.¹²

Further:

No minimum area is specified if it is worth while, even so little as 500 acres. Restriction of use of the parcels of wilderness will be mainly by controlling means of transportation. There will be no roads made into the land and no engines will be allowed, such as tote goats or inboard motors for boats. There will be no flying in. Pack horses are to be allowed. . . . No permanent structures will be erected.¹³

We believe this to be a noble and sincere approach to the definition and use of wilderness and unashamedly "borrow" from the American definition of wilderness.

We do not feel obligated to specify any minimum area that should be set aside as a wilderness area. However, we would bring to the attention of the Government various procedures which have been adopted or recommended elsewhere in North America for defining minimum size of wilderness areas.

We would refer the Government to the Brief submitted by the Alberta

¹¹See The Living Wilderness, journal of the Wilderness Society (see particularly The Living Wilderness No. 86, Spring-Summer, 1964, and the Society's Handbook on the Wilderness Act).

¹²Darling and Eichhorn, p. 71.

¹³Ibid.

Wilderness Association.¹⁴

Too much is at stake in the preservation of wilderness areas to permit them to be established under the existing provisions of Section 4 of Bill 106.

Delete Section 4 and insert: A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are relatively untrammelled by man; where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in the Act an area of relatively undeveloped Provincial land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which

- (a) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
- (b) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
- (c) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and
- (d) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

D. We attach great importance to the establishment of an Advisory Committee on Wilderness Areas. In keeping with the importance of that body and of maintaining it as a useful organ in the selection, management, and use of wilderness areas in Alberta, certain changes to Section 5 must be

¹⁴Alberta Wilderness Association, Brief to the Minister of Lands and Forests on the drafting of a Wilderness Act for the Province of Alberta, November 28, 1969, pp. 3-4.

effected. We believe that the Committee must be established; that it must be made up of individuals selected for their competence in dealing with matters pertaining to wilderness, who must be properly remunerated for their services and who must have the right to recommend compensation as discussed in Section 8 (c). We have given careful thought to the Committee's powers to recommend withdrawing lands from existing wilderness areas. We do not believe that the Committee should be given that right, on the grounds that areas considered worthy of wilderness-area status should remain inviolate from significant landscape change wrought by man once they have been established.

Amend Section 5. (1) to read: The Lieutenant Governor in Council shall establish a committee called the "Advisory Committee on Wilderness Areas" consisting of five or more members, and shall designate one of the members as chairman.

Amend Section 5. (2) to read: A majority of the members appointed shall be persons who are not employees of the Government of Alberta. Members of the Committee shall consist of at least one representative from a university in Alberta who shall be a qualified biological, earth, or social scientist, who shall not be considered as an employee of the government, and one representative from a recognized citizens' conservation organization registered under the Societies Act in the Province of Alberta, and one citizen from the community who shall have acknowledged expertise in the purposes of wilderness areas in the Province of Alberta.

Amend Section 5. (3) to read: The Lieutenant Governor in Council shall authorize, fix, and provide for the payment of remuneration and expenses to any of the members of the Advisory Committee who are not employees of the Government.

Replace Section 5. (5) (c) with: . . . awarding compensation determined under Section 8 (c).

E. Because of the importance of public hearings (see Part IX) as a vehicle for the expression of public opinion on lands managed on its behalf, the Advisory Committee should meet at least twice yearly in different parts of the province.

Amend Section 6, paragraph 1, to read: The Advisory Committee shall, at least twice a year or more often, as required, hold public hearings; one north of Twp's 42 and one south of Twp's 42 in the Province of Alberta, for the purpose of receiving and hearing submissions and representations respecting

Amend Section 6. (b) to read: any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any land to an existing wilderness area.

F. It is possible that measures or programs carried out in a wilderness area for the maintenance of stable watershed conditions may be construed as a carte blanche for the introduction of structures not in keeping with the purposes of the wilderness area. Therefore, we suggest that Section 7 (b) be rewritten, in part, to emphasize the definition of a wilderness area.

Amend Section 7. (b) to read: . . . for the maintenance of stable watershed conditions, but such as shall not impair the wilderness-area's primeval character and influence, and shall not result in permanent improvements or human habitation.

G. We consider Section 8 of Bill 106 to be so composed that its implementation under the provisions of subsections (2) and (3) could endanger the entire wilderness-area system in Alberta (see Acorn to McNabb, Appendix C). We suggest that this Section be completely rewritten.

Delete Section 8 and insert:

(a) No disposition shall be made by or on behalf of the Crown of any estate or interest in public lands in a wilderness area by any Provincial Act.

(b) Where there has been any previous disposition of any estate or interest in public lands, and where there are any private lands in a wilderness area, the Advisory Committee on Wilderness Areas should expropriate these estates or interests in public or the private lands.

(c) Where estates or interests in public lands or private lands are expropriated under subsection (b), the person or persons who are subject to such expropriation shall be entitled to compensation. Such compensation shall be determined by a hearing before the Advisory Committee on Wilderness Areas.

H. If adhered to, Section 8 as modified will make Section 9 redundant. Hence this latter section should be deleted. However, we are not so optimistic as to presume that our suggestions for Section 8, as we have revised them, will be accepted by the Government of Alberta. If, then, Section 9 of Bill 106 is allowed to stand, we are concerned that those companies which are operating in wilderness areas under The Pipe Line Act (1958) and The Oil and Gas Conservation Act (1969) should be liable to strict control of their operations in such areas. Substantial penalties must be assessed where impairment is caused to wilderness areas that is in excess of landscape changes that are unavoidable because of activities permitted under the provisions of these Acts. Where a company has been proved guilty of a second offence in a wilderness area, its right to operate in all wilderness areas should thenceforth be terminated and its future access to such areas permanently denied. As presently written, Bill 106 emphasizes impairment

to the landscape of wilderness areas by an individual but neglects to emphasize the corporation—the greatest polluter of existing wilderness areas.

I. It is difficult to reconcile hunting and wilderness use, but after much thought and debate on the subject we are submitting the following recommendations. These recommendations appear as a new Section to the Act and should be inserted at some logical point, perhaps preceding the present Section 12.

Add to Bill 106:

(1) Subject to Section 7, no person shall

(a) hunt, kill, or trap any predatory or fur-bearing mammal within a wilderness area, or

(b) transport or cause to be released any non-native fish or wildlife species within a wilderness area.

(2) Subject to the approval of the Advisory Committee and the Environment Conservation Authority upon the submission by biologists of the Fish and Wildlife Division of the Department of Lands and Forests of evidence indicating deterioration of quality in ungulate populations or habitat conditions, limited public hunting of ungulate species may be permitted within a wilderness area.

Amend Section 11, (1) (b) to read: . . . enter or travel within a wilderness area except for the purpose of walking, hiking, skiing, snowshoeing, boating, fishing, bicycling, and camping.

Amend Section 11. (1) (c) to read: . . . shall fly an aircraft lower than 2000 feet above the highest point in the wilderness area.

Delete Section 11. (2) (b) (iv).

Amend Section 11. (3) to read: A person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not less than \$50 and not more than \$500 and in default of

payment to imprisonment for a term not exceeding three months and restitution of the damage caused.

J. The amendment proposed for 11 (3) and those proposed for Section 12 emphasize the importance of guilty parties being financially responsible for restitution of damage they may have caused in a wilderness area.

Amend Section 12. (a) to read: . . . for the first offence, to a fine of not less than \$50 and not more than \$1,000 and in default of payment to imprisonment for a term of not more than 60 days and restitution of any damage caused.

Amend Section 12. (b) to read: . . . for a second offence, to a fine of not less than \$100 and not more than \$5,000 and in default of payment to imprisonment for a term of not more than 120 days and restitution of any damage caused.

Amend Section 12. (c) to read: . . . for a third or subsequent offence to imprisonment for a term of not less than one month and not more than six months and restitution of any damage caused.

K. The new Act must supersede all previous legislation setting aside wilderness areas.

Amend Section 14 to read: The Act supersedes all previous legislation establishing wilderness areas, and comes into force on the day upon which it is assented to.

VI. THE NEED FOR A MANAGEMENT POLICY

Bill 106 contains little description of the ways in which policy will be implemented within the various wilderness areas. We request that this important matter be given careful consideration so that an effective management policy and structure can be established.

We suggest that each area should initially have a detailed scientific,

geographic, historic, esthetic, capability, and recreational inventory, and that from this information the goals and assets of each area should be defined. One plan might then set up a manager and associated staff, including wardens, for each area. Managers and other personnel working in wilderness areas should be qualified to undertake the specific tasks to which they are assigned. Other plans should also be considered.

Certainly the various values and biota of each area should be periodically monitored and manpower should be available for this and protective measures.

We wish to stress that to meet ever-increasing outdoor recreation demands and, at the same time, minimize human impact on wilderness areas, is a most difficult task requiring well trained and perceptive personnel.

The Province of Alberta has a pool of workers well qualified to undertake the tasks suggested above, and reliance should not be placed solely upon the personnel of government agencies to undertake the research suggested.

VII. AREAS TO BE DESIGNATED AS WILDERNESS

Certain areas in Alberta have been designated as "wilderness areas." Other additional areas have been suggested by the Alberta Wilderness Association.¹⁵ It is recommended that until such time as The Wilderness Areas Act becomes a Statute of Alberta, a moratorium be placed upon all extractive activities, development of facilities and dispositions of lands in areas that are presently established as wilderness areas and that those areas recommended by the Alberta Wilderness Association for addition to wilderness-area classification be similarly treated. Moreover, where other areas are

¹⁵Alberta Wilderness Association. Supplement to Brief on Wilderness Act, Calgary.

under consideration by the government for addition to the system, or have been suggested by other interested bodies, they too should be subject to such a moratorium.

Upon entry of the Wilderness Act into the Statutes of Alberta, the personnel of the Advisory Committee should be appointed without delay, and have as an immediate task an inventory of areas included in the Schedule to the Act and areas recommended for addition. This inventory should include those matters dealt with in Part VI of this brief.

Another pressing task for the Advisory Committee is to select and recommend areas representative of geographical and life zones in Alberta, other than those already included in the Schedule of the Act.

VIII. WILDERNESS AREAS AND A SYSTEM OF PARKS

There are many categories of public reserves in Alberta—national and provincial parks, forest reserves, wilderness areas, and so on. Park systems planning recognizes that all these categories of reserves are related to each other in the planning process.

In the case of wilderness areas, wildland is being set aside to be protected and used in a manner not dissimilar to areas in the national parks, but free of the facilities associated with mass visitation to the national park areas. Certain areas in provincial parks and other categories of public reserves may also have qualities fitting them for designation as wilderness areas.

In planning for wilderness areas, we request that the government give its fullest attention to the possibility of including portions of other reserves not designated as wilderness, but of high wilderness quality, in the wilderness-area system. Moreover, we would request the government to pay heed to the wilderness zones designated in Alberta's national parks, and

to strive towards some uniformity in management and use of all wildland areas in the province.

We must emphasize that as opportunities to set aside public reserves become fewer, the greater will be our need adequately to plan and manage the resources in those lands which have been set aside.

We also believe that Alberta, when it passes Bill 106, will have a unique opportunity to set an example to other provinces in Canada in the field of park systems planning.

IX. PUBLIC PARTICIPATION IN WILDERNESS-AREA DECISION-MAKING

Reference has already been made to the government's decision to hold public hearings on Bill 106, and this decision has been warmly commended. Moreover, the establishment of an Advisory Committee on Wilderness Areas has been favourably received, but we wish to emphasize again the desirability of holding at least two public hearings each year.

Public hearings function admirably as a forum for the open discussion of issues concerned with the administration, management, and use of public reserves. Hearings on the Wilderness Act in the United States and on provisional Master Plans for individual park units in Canada's national parks are demonstrating that the public hearing is the most effective means whereby government can outline and explain its proposals to the public at large and more importantly, be the recipient of the opinions of the public.

Public hearings have been used for a great range of issues in Canada. However, we wish to emphasize that for an agency to hold a series of hearings and then to disregard or pay inadequate attention to views and opinions expressed by those who attend or submit written statements undermines the value of the system. We urge the government, therefore, to be cognizant of the opinions expressed at the series of public hearings on Bill 106, and to

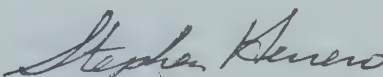
maintain its appreciation of public opinions expressed at any subsequent hearings held by the Advisory Committee on Wilderness Areas.

It is our hope that this Committee will see fit to hold public hearings whenever public interest in matters concerning the establishment, administration, management, and use of wilderness areas is such that it indicates an obvious concern about prevailing conditions in the wilderness system.

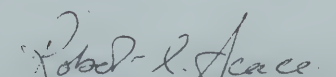
Furthermore, wilderness areas constitute but one type or class of public land serving the outdoor recreation and related needs of the population (Part VIII). There are other types of areas whose purpose, management, and use cannot be evaluated in isolation from wilderness areas — natural areas (e.g., MacEwan Natural Area), national and provincial parks, recreation sites, forest reserves, wild rivers, and so on.

A demonstration of the government's concern for proper management of these areas, and its interest in public opinion about their operation, would be served by extending the public hearing process to cover these additional categories of reserves which fall under provincial jurisdiction. We strongly recommend that the Government of Alberta undertake steps to effect this procedure.

Respectfully submitted,


S. Herrero

L. Jones


R. C. Scace

Calgary-Banff Chapter
National and Provincial Parks Association
of Canada

Calgary, Alberta
July 29, 1970

15
July 29, 1970.

Dr. V. A. Wood,
Deputy Minister,
Department of Lands and Forests,
Government of Alberta.

Dear Sir:

Subject: Bill 106 - An Act
Respecting Wilderness Areas

Permit me to express my views on Bill 106, that
they be recorded as presented in the minutes of this meeting.

I feel that the Government of Alberta should be
complimented on its effort to introduce Bill 106 in order to
establish and protect the wilderness areas of Alberta.

As a member of the Alpine Club of Canada (Calgary
Section) I fully endorse the recommendations for changes to
the Bill, as presented by my Club.

Else Holz

Else Holz,
315 - 1616 - 8 Ave. N.W.,

CALGARY 42, Alberta.

A BRIEF PRESENTED TO THE ALBERTA GOVERNMENT AT THE CALGARY PUBLIC HEARING ON BILL 106 "AN ACT RESPECTING WILDERNESS AREAS". R.W. Sloan BSc.,MSc..

As a native Calgarian and Albertan I would like to comment on the proposed Act Respecting Wilderness Areas. My first comment after reading the act is one of disappointment. The act as it stands provides little if any protection to existing or future wilderness areas from exploitation and habitat damage. As an observer it would appear that the committee responsible for this Bill was neither composed of experts in the field of environmental design nor had taken the time to have investigated the realms of literature pertaining to wilderness. Before revision of this bill is enacted it might be advisable for these members to sit and read at least the "Hearings before the COMMITTEE ON INTERIOR AND INSULAR AFFAIRS UNITED STATES SENATE ON S1176" A BILL TO ESTABLISH ON PUBLIC LANDS OF THE UNITED STATES A NATIONAL WILDERNESS PRESERVATION SYSTEM FOR THE PERMANENT GOOD OF THE WHOLE PEOPLE, TO PROVIDE FOR THE PROTECTION AND ADMINISTRATION OF THE AREAS WITHIN THIS SYSTEM BY THE EXISTING FEDERAL AGENCIES AND FOR THE GATHERING AND DISSEMINATION OF INFORMATION TO INCREASE THE KNOWLEDGE AND APPRECIATION OF WILDERNESS FOR ITS APPROPRIATE USE AND ENJOYMENT BY THE PEOPLE, TO ESTABLISH A WILDERNESS PRESERVATION COUNCIL, AND FOR OTHER PURPOSES. These hearings consist of about six sessions the first held June 19 and 20, 1957. For additional background literature with regards to the scientific and ecological aspects of wilderness areas I might suggest the following texts, which I would like entered into the minutes of this hearing. Spurr, Stephen H. "The Value of Wilderness to Science"; Darling, Frank Fraser " Wilderness, Science, and Human Ecology; Beard, Daniel B. " Plants and Animals in Natural Communities"; and Cain, Stanley A. " Ecological Islands as Natural Laboratories".

I realize that the Alberta Government is between conflicts of interest. Alberta is fortunate in having a wide diversity of environments from semi-deserts, prairies, boreal forests, to the delicate alpine tundra. Right now it is a nice place to live aesthetically pleasing as well as providing the economic aspects of life. It is also fortunate in having vast quantities of natural resources

both renewable and non-renewable. Here is where the problem lies. With rapidly expanding populations, the desire for higher standard of living and rapid advances in technology these resources are becoming increasingly more valuable. Exploitation of surface and subsurface materials is inevitable. It is therefore the responsibility of this Government to utilize these resources to the best intrests of the people of Alberta and Canada. The question this government will have to answer is whether total exploitation of these resources at this particular time is economically and morally sound or is this just a means of enabling a few outside intrests to gain the most profit from Alberta's natural resources. Might it not be more feasible to set up wilderness areas to act as resource banks to be utilized later when it is necessary to do so. Private intrests might argue that total exploitation is good for our economy, that jobs are plentiful and everybody is happy. But what happens when our non-renewable resources become scarce? It is estimated that at present rates of consumption and predicted rates of consumption that our oil and gas reserves may last between 25-50 years. Some of our hard rock minerals are already scarce, coal reserves-although immense- are not unlimited, our forests if not managed properly may soon be depleted and water-one of our most valuable natural resources is already scarce. This boom economy is great for this generation but is it not also the responsibility of our Government to consider the welfare and well being of future generations. Are we morally right to turn over an environment to our children which is depleted of natural resources, polluted with the effluents of mine wastes, industries and cities, denuded of forests through strip mining and clear cutting and scarred through the action of wheeled and tracked vehicles along timber slashes and throughout the alpine tundra

I think it should be the purpose of this government to declare a Provincial policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man, to enrich the understanding of the ecological systems and natural resources important to Alberta. I might suggest you redesign this bill with respect to a very

strong Act signed by President Nixon on January 1, 1970. This act establishes as National policy the encouragement of environmental protection and the preservation of natural resources. I have taken the liberty of photocopying this Act and I would like this entered into the minutes of this hearing.

As a final consideration I think consideration should be given to Federal policies towards natural resources and energy acts. I think precautions should be taken to ensure that the Provincials policies on natural resources are not totally overridden by Federal policy. In areas where Provincial policy is overridden by Federal policy then adequate reclamation laws should be available for enforcement.

R. W. Sloan
888 - Memorial Dr. D.C.W.
283-0659.

National Environmental Policy Act

On January 1, 1970, President Richard Nixon signed into law a bill which establishes as national policy the encouragement of environmental protection and the preservation of our natural resources. The Act follows:

AN ACT

To establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Environmental Policy Act of 1969."

PURPOSE

SEC. 2. The purposes of this Act are: To declare a national policy which will encourage, productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

TITLE I

DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

SEC. 101. (a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

SEC. 102. The Congress authorizes and directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall—

(A) utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision-making which may have an impact on man's environment;

(B) identify and develop methods and pro-

DB

cedures in consultation with the Council on Environmental Quality established by title II of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on—

(i) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

(iii) alternatives to the proposed action,

(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity and,

(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5, United States Code, and shall accompany the proposal through the existing agency review processes;

(D) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(E) recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United States, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment;

(F) make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(G) initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(H) assist the Council on Environmental Quality established by title II of this Act.

Sec. 103. All agencies of the Federal Govern-

administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this Act and shall propose to the President not later than July 1, 1971, such measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this Act.

SEC. 104. Nothing in Section 102 or 103 shall in any way affect the specific statutory obligations of any Federal agency (1) to comply with criteria or standards of environmental quality, (2) to coordinate or consult with any other Federal or State agency, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

SEC. 105. The policies and goals set forth in this Act are supplementary to those set forth in existing authorizations of Federal agencies.

TITLE II

COUNCIL ON ENVIRONMENTAL QUALITY

SEC. 201. The President shall transmit to the Congress annually beginning July 1, 1970, an Environmental Quality Report (hereinafter referred to as the "report") which shall set forth (1) the status and condition of the major natural, man-made, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; (2) current and foreseeable trends in the quality, management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities) of the Federal Government, the State and local governments, and nongovernmental entities or individuals, with particular reference to their effect on the environment and on the conservation, development and utilization of natural resources; and (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

SEC. 202. There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve

(Continued on page 53)

... of the Nation, and to formulate and recommend national policies to promote the improvement of the quality of the environment.

SEC. 203. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

SEC. 204. It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Environmental Quality Report required by section 201;

(2) to gather timely and authoritative information concerning the conditions and trends in the quality of the environment both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in title I of this Act, and to compile and submit to the President studies relating to such conditions and trends;

(3) to review and appraise the various programs and activities of the Federal Government in the light of the policy set forth in title I of this Act for the purpose of determining the extent to which such programs and activities are contributing to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation;

(5) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(6) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(7) to report at least once each year to the President on the state and condition of the environment; and

(8) to make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

SEC. 205. In exercising its powers, functions, and duties under this Act, the Council shall—

mittee on Environmental Quality established by Executive Order numbered 11472, dated May 29, 1969, and with such representatives of science, industry, agriculture, labor, conservation organizations, State and local governments and other groups, as it deems advisable; and

(2) utilize, to the fullest extent possible, the services, facilities, and information (including statistical information) of public and private agencies and organizations, and individuals, in order that duplication of effort and expense may be avoided, thus assuring that the Council's activities will not unnecessarily overlap or conflict with similar activities authorized by law and performed by established agencies.

SEC. 206. Members of the Council shall serve full time and the Chairman of the Council shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Council shall be compensated at the rate provided for Level IV or the Executive Schedule Pay Rates (5 U.S.C. 5315).

SEC. 207. There are authorized to be appropriated to carry out the provisions of this Act not to exceed \$300,000 for fiscal year 1970, \$700,000 for fiscal year 1971, and \$1,000,000 for each fiscal year thereafter.

Approved January 1, 1970.

BRIEF ON PROPOSED WILDERNESS ACT BILL 106

Alfred L. Harris

To: The Panel Committee on the Proposed Act

Dear Sirs:

I have received a copy of Bill 106 and I wish to address myself to the Proposed Act and the problems of creating Wilderness Areas.

Very briefly commenting on the Act itself, I would like to make the following comments:

1. It seems to me that the Act should be preceded by a preamble which sets out the purpose of a Wilderness Act. It should state the needs of man for seclusion, for an area which is preserved in its natural state, for an area where noise and other pollution factors are minimized or removed completely, an area where the water resources and the beauty resources are not disturbed. In this way should any problem arise in the future requiring an interpretation of the Act, a judge can look at the preamble and knowing the purpose of the Act, sections of it can be interpreted in accordance with the purpose of the Act.

2. If the section on Wilderness Area Purpose is to be left in as Section 4, then I would like to see an enlargement of the section. In any event, whether it is put in as a preamble or as a section, the purpose of the Act should be spelled out and a sentence at the end of it should be written to the effect that in the interpretation of the Act, regard must be had at all times to the purpose for which the Wilderness Areas have been created.

3. With respect to the membership in the Advisory Committee, I suggest that a clause be put in to the effect that the majority of the mem-

bers, or at the very least, a substantial number of the members, should be drawn from well-established Conservation groups in the Province. If this cannot be written into the Act, then certainly at the same time as the Act is passed, there should be a written statement to this effect issued by the Premier so Conservation groups will be represented on the Committee. There should also be a clause in the Act to the effect that at least one member of this Committee should belong to the Environmental Conservation Authority. In this way the Act will be tied in to the general problem of combatting pollution and improving the environment in the Province.

4. The Advisory Committee should meet at the call of the Chairman, but not less than twice a year. With respect to Clause 5, Subsection 5, I do not think that there should be any such thing as a clause allowing the Minister or the Committee or anyone else to withdraw lands from an existing Wilderness Area. If land must be withdrawn from a Wilderness Area, it should be done by legislation so that the public at large can know that the boundaries of an area are certain, subject only to change by the legislature as a whole.

5. With regard to Clause 6 of the Act, it is imperative that the public hearings referred to therein, should be held in various parts of the Province. And for this matter, I certainly think they should be held in the North and the South of the Province and preferably in the North, the South, the Peace River Area and the Medicine Hat Area. Naturally, the word "withdrawal" should be taken out of Paragraph 6. At the same time, I think that some consideration must be given to widening the

purpose for which the public hearings should be held. They should not be restricted to the acquisition of land, but should also be held as a matter of principle from time to time on the maintenance, use and threats to the Wildlife Areas.

6. With regard to Clause 7 of the Act, I do not like the use of the word "stable" in Paragraph 7(b). The water behind a dam, for example, may be part of a stability program, but I don't think dams should be built in the Wilderness Area. What we want is the maintenance of the natural water shed conditions. Clause 8 of the Act should have deleted the expression "subject to Subsections 2 and 3" in Paragraph 1. I also think that Paragraphs 2 and 3 should be deleted from Clause 8. There is no sense talking about a Wilderness Area on the one hand, and a recognition of prior estates or interests on the other hand. A Wilderness Area should be declared as such and it should not be tampered with and it should not be subject to any over-riding restrictions, and if there are any rights in there now, then those rights should be expropriated and compensated for.

7. With respect to Clause 9 of the Act, this whole section should be taken out because there is no need or necessity or desire to put pipelines through a Wilderness Area.

8. With respect to Clause 11 of the Act, I do not know if the travel set out therein is comprehensive enough but I do think there should be something in the section to the effect that the Committee can extend the use of the Wilderness Area provided and under no circumstances can they extend it to motorized or powered means of travel. I do not suppose that this Committee has the power to control the altitude at which airplanes can fly over a Wilderness Area, and perhaps a separate submission will

have to be made in this regard to the air transport board to have this item cleared,

9. With respect to Subsection 2, Clause 11, there should be no power in the Minister or anyone else to approve any type of construction work in the Wilderness Area except for the purpose of preserving the Wilderness Area and this should only be done after careful planning so as not to disturb any part of the environment unnecessarily.

10. Finally, I would like to see one paragraph added to this Act, to the effect that any individual in the Province of Alberta shall have the right to bring legal action against the Government or anyone else who acts in contravention of the Statute. This clause is imperative in this Act or any other Conservation Act because unless the Public have that undisputed right to enforce it, then anyone can transgress it who has any support at all from the Government or Civil Service or any other body engaged in controlling or carrying out the Act.

11. The problem of creating Wilderness Areas is part of the general problem of improving the environment and restraining pollution. Today, man is engaged in a battle to survive. The enemy is himself, and the war will constitute hundreds of battles in hundreds of different areas and the Wilderness Area is one of them. Whatever is done at this level, will be part of the general war to improve the environment and it is an essential area. People must have a place where they can go to return to nature, they must have a place to go where they can get away from the hustle and bustle and noise of the City life, they must have a place to go where they can be by themselves occasionally to think. It is clear from Bill 106 that although Wilderness Areas are being considered, there

is a deliberate attempt throughout the Act to protect the mineral rights in those areas and water rights. This can only be described as a deception because unless the Wilderness Areas are preserved as Wilderness Areas, then they cannot really work. The people who are before you today, seeking the creation of Wilderness Areas, will only have to come back year after year to try and protect the bit of land that is being set aside so long as there are clauses in the Act giving rights to mineral holders and water holders to disturb the Area.

The whole world is suddenly becoming conscious of the need to protect the earth. Your children, and your grandchildren, if they live long enough, and certainly your friends and neighbors will be conscious of whatever you do with respect to Bill 106. You cannot, in my respectful opinion, recommend a Wilderness Act which is as full of holes as this one is, and escape the condemnation of the people around you. It will become evident in the months ahead as attempts are made to drill in these areas, as attempts are made to dam the areas, as attempts are made to build roads, etc., that you have failed in what you have set out to do if you allow this Bill to proceed in its present form.

By accepting the appointment that have accepted to look into the Wilderness Area Act, you have stamped your name on whatever Bill is put before the Legislature and with the mounting concern in the area of Pollution you would be well advised not to put your name on anything that won't stand up under scrutiny in the months ahead.

Yours respectfully,

Alfred L. Harris

431 WILVERSIDE WAY SE.
CALGARY, ALTA.

Linda Jones

(18)

1315A 15th Street N.W.
Calgary 42, Alberta
July 29, 1970

Dr. V. Wood, Deputy Minister,
Department of Lands and Forests
Government of Alberta

Dear Dr. Wood:

I helped write the briefs for both the Calgary Section of the Alpine Club of Canada and the Calgary-Banff Chapter of the National and Provincial Parks Association of Canada and would wholeheartedly like to endorse these briefs as my personal contribution to these hearings.

I would however like to add a few comments of my own. These are not based on any facts as such. Rather they are the result of my exercising careful restraint in contributing to the above-mentioned briefs. So I am exercising my prerogative of displaying a bit of emotion towards our wilderness areas in Alberta.

We could not, in the Alpine Club, reconcile hunting and wilderness use. So we added a subsection for its exclusion from wilderness areas. I most fully agree with this, but I also realize that strong pressures will be put on the Government to allow hunting in wilderness areas. I have a recommendation of my own that I should like to submit at these hearings. If the protection of predatory animals as recommended in Section 4 (of the ACC brief) does not control the population of the large game animals, then some form of hunting might have to be allowed. I realize the likelihood of overpopulation of these large animals in protected areas which ultimately leads to the periodic necessity for culling excess animals to prevent starvation. And I would prefer limited public hunting (possibly even bow and arrow hunting) to what is commonly called the "Park Slaughter" in the National Parks. So, if the predatory animals cannot control this population, then limited public hunting should be allowed to reduce overpopulation when such overpopulation is imminent and when it will impair a species. I further recommend that no guides or licensed outfitters be permitted to operate in wilderness areas.

Mining is undoubtedly the largest single threat to our wilderness areas. This topic will no doubt be covered quite competently at these hearings; but I would like to add a comment of my own. We must have some large parcels of land that are sacred and free from intrusions of this type. Our Provincial Parks, as you well know, do not fit this description with their gas wells. And it is risky to depend upon the

National Parks in Alberta because, in my opinion, there are too many provisions for townsites and ski facilities and roads into what wilderness remains in these Parks. This leaves us with the Alberta Wilderness Areas. But all the lofty ideals of Section 4 of the original Bill which would lead one to believe that such ideal wilderness areas were going to be protected at last are nullified in Sections 8 and 9.

What I find ironic about Bill 106 is that while the Government appears to be making a sincere effort to establish wilderness areas, it is, at the same time, providing for mineral operators to desecrate these very same areas. These operators are fortunate indeed to have a Government sufficiently sympathetic to their desires to protect them from the wrath of persons such as myself who do not approve of such gross misuse of wilderness areas.

Now this Government doesn't simply gloss over mining in this Bill. Instead it includes special protective measures to make sure mining is included and doesn't even bother to make these enterprises liable for damage they cause until their third offence!

Surely the Government cannot need revenue so desperately that mining must be allowed in every nook and cranny of Alberta. And if it does, there must be better, less destructive ways of obtaining it.

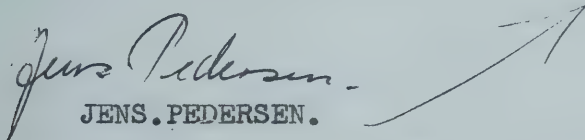
Yours truly,

Linda Jones
(Mrs.) Linda L. Jones

Calgary.july29.1970.

I am very much against,all timber,mining,gas,oil and cattle industry carrying out any activety in any wildernes area. When such activity is carried out, the word wildernes has lost its meaning and the wildernes will not be there very long.

I am very much concerned about our wildernes areas being preserved in their natural state for future generations.


JENS.PEDERSEN.

9504.5th street S.E. Calgary .30.

Alberta.

A BRIEF TO THE COMMITTEE
ON BILL 106
AN ACT RESPECTING WILDERNESS AREAS

BY: T.J. O'Keefe
Calgary, Alberta

Vice-President

ALBERTA FISH AND GAME ASSOCIATION

July 29, 1970

Mr. Chairman and committee members.

I wish to congratulate the government and, in particular, the Minister of Lands and Forests, the Honourable Dr. J. Donovan Ross, for calling this series of public hearings.

Our government has for too many years considered uninhabited areas as valueless if they were not being subject to the catch-all connotation of multiple use.

Bill 106 entitled "An Act Respecting Wilderness Areas" was discussed prior to the last session as being the ultimate in protection of those few areas that are left in a reasonably undisturbed state.

It would appear that at some point between the discussion stage and first reading those departments and their ministers whose views are at variance with the Department of Lands & Forests were given the right to edit and amend the suggested legislation.

Section 3(1)

It appears that all thought regarding Wilderness Areas revolves around the Eastern Rockies Forest Conservation Area. Wilderness Areas should be able to be formed in any part of the province and need not be public lands.

Future Wilderness Areas should be acted on by the Legislature and not subject to the action of the Lieutenant Governor in Council.

Section 5(c)

This section should be withdrawn as it makes a farce of the whole bill. Pressure from other government departments will perpetuate the system we now have where Wilderness Areas are carved up and shrunk at the demand of the Department of Mines & Minerals. To be of any value at all, this Act should eliminate any reference to "withdrawal of lands from an existing Wilderness Area".

Section 6(b)

Again, what is the point of setting aside an area designated as Wilderness if every year the coal, mining, oil and timber interests can call for the withdrawal of areas.

Section 7

This section is vague, which could:

In Section (a) allow lumbering on the pretext of preserving trees from becoming over mature;

In Section (b) allow for the construction of dams and other water diversion projects; and

In Section (d), if you have measures or programs being carried out, it is then not a Wilderness Area and as in Section 5(c), the whole bill is negated.

Section 12

There is no provision for restitution. Any company or individual should be assessed damages in an amount sufficient to restore the area to the state it was in prior to the offence.

In summary, if an Act such as this is to be worthwhile, it must contain provisions for permanent areas maintained as they now are in perpetuity, not until someone wants something on the other side of the fence where the coal is always hotter, the trees always straighter, the oil always a higher grade, and the citizen always the loser.

The government, and particularly Dr. Ross, have shown great courage in presenting this Bill to the Legislature. Let future generations marvel at the quality of the protection given our vanishing wilderness rather than marvel at how gullible the public were in accepting the desecration of the last of our vanishing wilderness.

Dr. M. T. Myres

(21)

A BRIEF ON

THE PROPOSED WILDERNESS AREAS ACT

presented on behalf of the

FEDERATION OF ALBERTA NATURALISTS

at a Public Meeting in

Calgary, 29 July 1970

c/o P.O.Box 201, University of Calgary

Gentlemen:

I. The Federation of Alberta Naturalists:

The Federation of Alberta Naturalists exists to serve the combined interests of all Alberta naturalists. Local natural history societies in Calgary, Edmonton, Lethbridge, Red Deer and Banff provide the membership of the Federation and elect representatives to sit on the Board of Directors, but otherwise have complete independence. There are equivalent federations in British Columbia and Ontario. As the Federation of Alberta Naturalists grows and becomes better known, we hope to create as great an awareness of the need for sound conservation policies among Albertans as the widely-recognised Federation of Ontario Naturalists has done in Ontario. A recent study concluded that there are upwards of 60,000 residents of Alberta who have interests in natural history, whether or not they actually belong to a natural history organization (1).

As President of the Federation of Alberta Naturalists, I am presenting this brief on its behalf. Because this is the height of the holiday season, however, it has been difficult to consult with our members, and I can only apologize for the fact that this brief has not been scrutinized by my associates to the extent that I would have wished. I hope, nevertheless, that this brief contains some ideas that may be considered useful. Several other groups are commenting in great detail on the various sections of the proposed Wilderness Areas Act. Although this brief also does this (see Appendix 2), the main intent of this presentation is to review some problems which are basic to the establishment of satisfactory "Wilderness" areas in Alberta under presently existing social conditions.

II. Alberta Today:

Because of rapid technological innovations, the growth of the human population in North America and, particularly, the exceptionally rapid growth of the larger urban centres in this province, a wholly new and untried life-style is evolving on the prairies. The new life-style is also dangerously discarding some of the established mechanisms for the transfer of well-tried values of thought and conduct from one generation of

men and women to the next. A seemingly unstable environment is being produced in our cities. Under these circumstances the existence of Wilderness becomes especially pertinent as providing a link with reality and with the past---a philosophical and mental sheet anchor in a gusty and turbulent period of social evolution.

III. The Value of Wilderness:

While the countryside is increasingly visited for enjoyment and play, it is largely not understood by the new breed of men and women whose home environment is the row of houses on a city street. Because of their interest in the plants and animals of the countryside, naturalists are a group of people who are, perhaps, unusually aware that unaltered wilderness provides an experiential and spiritual touchstone of great value. The wilderness has been the one environmental factor that has remained almost unaltered throughout the course of the rapid evolution of human social systems during the last 10,000 to 20,000 years. The destruction of heirlooms and historical records is criminal as well as foolish, and a society that does not care for its Wilderness Areas is casting itself adrift from one of its most potent sources of inspiration and good sense. Therefore, the intention of the Alberta Government to establish "Wilderness Areas" is to be applauded -- if the intention is genuine.

The question of the Government's sincerity is raised because people in high places in this province have frequently been heard bemoaning the fact that a relatively large proportion of the land area of Canada's National Parks system is located in Alberta. More than one Minister of the Crown has employed this fact as a reason for not providing Alberta's provincial parks with immunity from resource exploitation, and has thereby revealed his warped scale of values. Instead, such men should rejoice that Alberta has been blessed with such an abundance of natural beauty and biological values. Even Premier Strom has exhibited the passé "exploit everything" philosophy of past Social Credit administrations as recently as June 3rd 1970 in a rather confused letter to the Calgary-Banff Chapter of the National and Provincial Parks Association (2). So, it is pertinent to enquire whether the proposed Wilderness Areas Act is an act of supreme provincial wisdom or an incompletely thought-through demonstration of muddled-headedness? Certain subsections of the 1970 Bill 106,

unfortunately, suggest the latter !

To be fair, it is increasingly difficult to remain clear-headed about the distinctions, in values and purposes, between National Parks, "Wilderness Areas", Provincial Parks, "Recreation Areas" and "Natural Areas". One reason is that the Federal Government is in the process of zoning each National Park into more than one functional zone: the words "wilderness" and "recreation" are increasingly being used by these "master planners" with strongly functional connotations. The problem is taken a step further by the fact that the International Union for the Conservation of Nature and Natural Resources (IUCN) has recently proposed that the term National Park not be used for areas "where public outdoor recreation takes priority over conservation of ecosystems" (3). It is relevant to mention this here because, should this definition be adopted by Canada (and Canada was represented by senior federal officials at the General Assembly of IUCN at which the resolution was passed), then several of the existing National Parks might shrink in surface area quite considerably: what would then remain as National Parks (newly defined) would be areas "where one or several ecosystems are not materially altered by human exploitation and occupation" (3). Consequently, it is highly appropriate for the Province of Alberta to compensate for a reduction in size of existing National Parks either by setting aside additional "Wilderness Areas" on its own Crown Lands or, perhaps even to be preferred, by transferring certain areas that are examples of unique ecosystems to the National Parks system.

A second reason for semantic confusion is the increasing urgency of providing each urban community of more than 50,000 people with a "green belt" of recreational areas within 20 miles of the centre. The word "park" has traditionally been applied to such sites, though this is a most unfortunate term when extensive "recreational facilities" are provided. Whatever they are to be called, the city-dweller has to be provided with places where he can take his children, or where he can himself relax or exercise himself, for periods of 3 hours duration or less, within a short distance from his home. Without such a ring system around our cities, no relief from the heavy over-use of the provincial or national parks can be anticipated. For the integrity of "Wilderness Areas" farther afield to be

maintained it is important that everyone who would equally enjoy himself at other sites should be provided with these, closer to home.

IV. The Attributes of Wilderness:

A very well written short account of the evolving concept of Wilderness has been provided by a well-known British Columbian (4), and we hope that it will be read by officials of the Department of Lands and Forests.

The definition of Wilderness presented in "A Wilderness Policy for Canada" (5) in 1962 was: "any area from which the internal combustion engine is barred," and the Canadian Society of Wildlife and Fishery Biologists also stated that the minimum extent of a Wilderness area should be " 'one sleep', implying that at least 2 days would be required to travel across it at the narrowest point" (5). This suggests a width of not less than about 30 miles is desirable. While the 1970 Bill 106 accepted the first of the two definitions just quoted, it did not indicate the lower limits of size that would be acceptable as "Wilderness" under the proposed Act.

For many a wilderness user, the wilderness "experience" is rapidly diminished in value as the density of human beings in the wilderness rises. I would myself consider the experience diminished if I were to meet more than one cluster of 2-3 persons on each mile of trail. The essential feature of the wilderness experience is solitude (a low density of fellow human beings), and another is the "quiet of the wilderness". That "solitude" and "quiet" are important has been amply borne out during the last two winter seasons by the fury of so many naturalists and hikers when the winter silence of the Alberta countryside (especially in the mountain National Parks and the provincial Forest Reserves) has been increasingly disturbed by the improper and inconsiderate handling of snow machines.

Since an unfortunately large segment of the general public is still quite unable to comprehend the special importance and distinction of Wilderness to wilderness visitors, it may be suggested that a satisfactory definition of Wilderness should include this, third, feature: "a region of natural solitude and quiet from which men and women return with profound feelings of having undergone personal, spiritual or physical renewal." This experience may endure for many months (even years) afterwards, so that for such people one wilderness experience each year may be of far greater

value in restoring mental, physical and moral well-being than many tens of itemized visits to more crowded city parks or "recreation areas".

V. The Lesson from Ontario:

Ten years ago, the Government of Ontario enacted a Wilderness Areas Act (6). We might conclude that this was a very progressive thing to have done: we would be wrong, for the people of Ontario were duped. The very name of the Act made a cynical misuse of the word "wilderness", for the Act provided no guarantees whatever that public lands would be maintained as Wilderness: "development" of natural resources (in other words, resource extraction) was permitted under the Ontario Wilderness Areas Act. In 1965, D.H.Pimlott (7), after reviewing the matter in detail, concluded that: "the unimaginative way that the Wilderness Areas legislation has been applied during the past six years.....bear out that the Government of the Province of Ontario has little regard, or appreciation, for the preservation of natural environments." The bitterness engendered in Ontario over the wholesale destruction of the basic values of Algonquin Provincial Park (7, 8, 9, 10) is further proof of that statement, if proof were needed. There is no need to recount this tragedy in detail, but it leads directly to the first crucial question that we must ask ourselves, namely: is the proposed Alberta legislation for Wilderness Areas any better than that enacted in Ontario ten years ago ?

The 1970 Bill 106 is longer, certainly, and it has the makings of a satisfactory Act, but the same major defect, that led to the farce in Ontario, is also to be found in the proposed Alberta Act. The presence in the 1970 Bill 106 of subsections (2) and (3) of Section 8 and of subsection (2) of Section 9, if retained, will lead to a cynical charade. Unless these subsections are eliminated, there is little long-term merit in proceeding with this proposed Act, and the word "Wilderness" would need to be eliminated from the title.

VI. The 1970 Bill 106 text:

Let there be no mistake about what has just been said: the subsections of Sections 8 and 9 mentioned above must go! Also most of subsection (2) of Section 11 must be re-written (as indicated in Appendix 2).

It will probably be said that existing land and mineral rights have to be honoured. We do not accept that ! Hardly any new legislation fails to impinge in some way on existing laws. There are two ways in which such conflicts can be avoided. One is that employed in the 1970 Bill 106 -- the Minister proposing a bill pussy-foots around existing legislation (no doubt under pressure from Cabinet colleagues), stuffing his moss into whatever vacant chinks he can, but without making any structural alterations to the existing edifice (in this case an industrial economy). Hence we find subsections that begin "Subject to subsection (2)," with the consequence that the 1970 Bill 106 is quite powerless, in spite of its name, to provide full protection of the proposed Wilderness Areas from resource exploiters who are already on site, or will be by the time that the modified Bill becomes law in 1971*. The other way to deal with conflicts is to repeal or amend certain sections of existing legislation; in other words, the Wilderness Areas Act would supercede all existing legislation applying to such areas as would be selected under the Act. Countries in the third world (Libya is the latest example) think nothing of expropriating the property of those who have been exploiting their resources up to that time. So if the people of this province want to do the same thing there are precedents ! A new Act can state what the People, today, here, want, and put an end to the inconveniences created by the laws of yesteryear which no longer serve a useful purpose or impede us from doing what we who are alive today now want to do. The difference, of course, between Alberta and the third world countries is that we do not shrink from the burden of paying compensation for any losses incurred by others when we expropriate existing properties.

An important section of the 1970 Bill 106 was Section 8(1) which listed those existing Acts which would no longer operate in declared Wilderness Areas. But it is only too noticeable (as in Ontario's Wilderness Areas Act) that certain Acts have not been included. It is the opportunity and duty of those who can attend such public meetings as this to tell the Social Credit administration that we do not want the dictatorial powers accorded to the

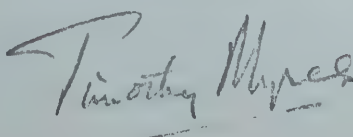
* It would be most interesting to learn how much staking has taken place in areas in which the primary values are likely to be wilderness values since the 1970 Bill 106 was tabled at the end of the last Legislative session ? Will it be possible to find any unencumbered sites a year from now ? The Federation of Alberta Naturalists strongly suspects that the tabling of the 1970 Bill 106 will have been exploited to the full by the resource industries and certain government departments. The remedy is the addition of strong expropriation clauses to the 1971 Bill.

Department of Mines and Minerals and the Department of Agriculture to be operative inside Wilderness Areas. Repeal of these powers is long overdue ! In Appendix 2, a number of Acts that must also be listed in Section 8(1) of the proposed Wilderness Areas Act are named, and we expect the Minister to include them (we believe that the general public would support him in this). The time is now upon us when the Department of Lands and Forests must have the power to expropriate from the resource industries and the Department of Mines and Minerals; the shoe has been on the other foot alone for too long ! However, the Department of Lands and Forests must also be provided with adequate appropriations of funds for compensating the victims of such expropriations. The proposed Wilderness Areas Act does not appear at present to provide for this need adequately. What is not acceptable is that those who have prior rights should be allowed to thwart what the People now require to be done. As an example of what can be done, one can point to the fact that the federal Department of Indian Affairs & Northern Development has recently bought out some very long-standing timber berths in Glacier National Park in British Columbia.

The proposed Wilderness Areas Act sets forth "guidelines relative to the establishment of Wilderness Areas." In other words, it is enabling legislation. It creates the Advisory Committee on Wilderness Areas and provides, or should provide, the Advisory Committee and the Minister with the directives and powers to draft specific legislation for each selected Wilderness Area. But, each proposed Wilderness Area should be afforded the full protection of the law through an individual Act establishing it. Finally, a "Wilderness Area" is a meaningless concept if its status, and our use and treatment of it, can be changed by Order-in-Council to any great extent without the approval of our elected representatives. A "Wilderness Area" would be a meaningless concept in Alberta if it were not guaranteed by the Legislative Assembly against all capricious and malevolent human forces, excepting only future Acts of the Legislative Assembly itself.

The detailed recommendations of the Federation of Alberta Naturalists for improvements to the text of the 1970 Bill 106 are listed in Appendix 2 (attached).

28 July 1970

 M.T. Myres, President

Appendix 1 -- References

- (1) Myres, M.T. 1968. A Sample Survey of the Expenditures of Naturalists. Canadian Audubon 30(1):12-20
(Note: the figure given was 40,000 naturalists in 1 million people; however, the population of Alberta is nearer $1\frac{1}{2}$ million, so the figure is 60,000 naturalists).
- (2) Newsletter, Calgary-Banff Chapter of the National and Provincial Parks Association of Canada, No. 3, pages 5-6 (July 1970).
- (3) Resolution "Definition of National Parks" adopted by the Tenth General Assembly, International Union for Conservation of Nature and Natural Resources, New Delhi, India, 1 December 1969.
- (4) Cowan, I.McT. 1968. Wilderness -- Concept, Function, and Management. Horace M. Albright Conservation Lectureship, University of California School of Forestry and Conservation, No. VIII. (34 pp.)
- (5) Canadian Society of Wildlife and Fishery Biologists. 1962. A Wilderness Policy for Canada.
- (6) Province of Ontario. The Wilderness Areas Act, 1960. Chapter 432, Revised Statutes of Ontario
- (7) Pimlott, D.H. 1965. The Preservation of Natural Areas in Ontario. Federation of Ontario Naturalists, Educational Publication No. 1 (19 pp.)
- (8) Editorial. 1968. Future Environments of Algonquin Provincial Park: the F.O.N. Position. Ontario Naturalist 5(3): 3-4
- (9) Algonquin Park: A Test Case for Canada. Four articles in the Pulp and Paper Magazine of Canada, January 3, 1969
- (10) Pimlott, D.H. 1969. The Struggle to Save a Park. Canadian Audubon 31(3): 73-81.

Brief of the Federation of Alberta Naturalists

Appendix 2 -- Specific Recommendations for Changes in the 1970 Bill 106.

- Section 3. Wilderness Areas should be established by Acts of the Legislative Assembly, not by Order-in-Council. In other words, the Act respecting Wilderness Areas is enabling legislation only.
- Section 4. In this brief (page 4) it has been suggested that the minimum extent of a Wilderness Area should be little less than 30 miles or two days foot travel. It has also been suggested that the definition of Wilderness Areas should, among other points, include the following phrases:
- "an area from which the internal combustion engine is barred", and
 - "a region of natural solitude and quiet from which men and women can return with profound feelings of having undergone renewal"

Section 5 It is essential that the members of the Advisory Committee chiefly consist of persons recognized as having reputations as ecologists or conservationists.

- Subsection (4). This is not necessary, and does not allow for meetings to be held at the request of members of the Advisory Committee when the Chairman does not concur with the need for a meeting.

- Subsection (5)^(c) This should be deleted, since any withdrawal of lands from any Wilderness Area should be authorized only by amendment of the Act of the Legislative Assembly that established that Wilderness Area.

Subsection (6). The relationship between the Advisory Committee and the Environment Conservation Authority is not made clear. The subsection is probably not necessary, since the ECA is entitled to call for information from, and may comment on the activities of, any Department of the Government.

A NEW subsection should be added enabling the Advisory Committee to recommend compensation for lands, leases or other rights that it has suggested be expropriated in areas being considered under 5 (5) (a) or (b).

Section 7. The Minister should not carry out any procedures under this Section without having obtained the prior affirmative sanction of the Advisory Committee.

It may, under rare circumstances, be necessary to carry out some management practices in order to ensure that a Wilderness Area retains its wilderness character. But fire, flood, and pest, disease or predator outbreaks are natural phenomena which are to be expected in Wilderness Areas, and they form a major component of wilderness ecology. Measures to prevent

Section 7 (continued):

fires, or pest, disease or predator outbreaks, from threatening areas beyond the boundary of a Wilderness Area should be confined to a very narrow boundary or buffer zone established outside the boundary of the Wilderness Area (as designated) in advance, and taken into account when establishing the boundary of each Wilderness Area by their separate Acts of the Legislative Assembly.

Subsection (b). This should be DELETED. It is natural for water conditions in the Wilderness to be unstable. Under no circumstances whatever can the Water Resources Branch of the Department of Agriculture be permitted any say in how a Wilderness Area is managed -- its control works (if required) must be right outside the boundaries of any declared Wilderness Area, and none should be created upstream from any Wilderness Area after it has been established.

Section 8.

Subsection (1).

ADD the Right of Entry Arbitration Act, Oil and Gas Conservation Act, and the Pipe Line Act, and all provincial acts authorizing the Department of Agriculture or the Department of Lands and Forests to control water resources and pest, disease or predatory organisms.

Subsections (2) and (3).

DELETE these subsections entirely in their present form !

In other words, the Wilderness Areas Act will REPEAL or AMEND all previous legislation in respect of areas that are, or which will be, declared as Wilderness Areas by Act of the Legislative Assembly.

Replace these subsections with a clause authorizing the Advisory Committee to award compensation for lands, leases or other rights that it is planned to expropriate, either in Section 8 or in Section 5 (see earlier comments).

Section 9.

Subsection (2).

DELETE entirely !

Section 11.

Subsection (1) (b).

- delete "or bicycling"; it is hard to imagine how this phrase crept into the bill !
- add the phrase "cross-country" before the word "skiing".
- replace the word "boating" by "canoeing", since only canoes can be readily transported overland without mechanised means.

(iii)

Section 11 (continued)

Subsection (1) (b):

- add "mountain climbing"
- add "overnight camping"

Subsection (1) (c).

REPLACE with the words:

"fly an aircraft in a Wilderness Area below 2000 feet,
or land an aircraft in a Wilderness Area, except in
an emergency under subsection (2) (b), or "

NEW Subsections should be added, as follows:

- "(e) graze any domestic animals of any kind in a
Wilderness Area, except individual horses when actually
being used for recreational riding in the Wilderness
Area, and
- (f) hunt, or trap and kill, any animals in a Wilderness Area."

In other words, these activities are excluded from
Wilderness Areas.

Subsection (2) (b). The phrase "any means" is unacceptable; the
opening sentence should be replaced with the following:--

"the use, in an emergency, of such means of
transportation and equipment, and the doing of such
acts, as may be authorized by the Minister under
previously-established guidelines prepared by the
Advisory Committee, in connection with"

Subsection (2) (b) (i)

- add the words "pursuant to Section 7" after the word "fire."

Subsection (2) (b) (iv).

DELETE entirely !

Subsection (3). The minimum fine should be \$ 100, instead of \$ 50.
Also the phrase "per day" should be added following the
statement of the maximum fine of \$ 500.

Section 12. The fines are unrealistically low, and should be replaced as
follows:--

- (a) "not less than \$ 100 and not more than \$ 1000 per day"
- (b) "not less than \$ 250"
- (c)(ii) "not less than \$ 20,000"

The Wilderness Areas Act

Bill 106 1970

Brief presented to the Alberta Government by:

Dr. Kenneth J. Stevenson

Assistant Professor of Biochemistry

University of Calgary

Dated: July 29, 1970

Dear Sirs:

The Wilderness Areas Act, Bill 106, is an encouraging document in that it indicates that the Government of Alberta is aware and concerned about the many unspoiled areas in our province and plans to protect these for future generations. My general opinion of the Bill as it is set down is favourable but I feel that there are a few areas that could be improved or clarified. I would like to deal with a few of these points and make brief recommendations.

The Advisory Committee on Wilderness Areas

Firstly, Section 5, Subsection 1, should read "The Lieutenant Governor in Council WILL (NOT MAY) establish a committee called the "Advisory Committee on Wilderness Areas"" This suggests that such a committee may never come into being. Perhaps my major concern is with the membership of this Committee. It is imperative that members of this committee MUST be primarily concerned with the

establishment and preservation of Wilderness Areas. This includes Government members and lay people alike. I would expect that Government would be represented by young employees of the Lands and Forest Branch and the Parks and Recreation Branch. No Government representation from the Department of Mines and Minerals nor from any department, whose primary concern is the utilization of our non-renewable natural resources, should be present. The type of young men present in our government that I would feel would be ideal representatives would be the likes of the Calgary Fisheries Biologist--Mr. Dennis MacDonald. His talented leadership and constructive criticisms should be utilized for the betterment of our province. The non-government members will form a very valuable entity of this committee. I strongly feel that there should be absolutely no representation from the following industries:

1. Oil and Gas industry
2. Mining industry
3. Pulp and Paper industry

These statements appear harsh but in view of the industries attitude towards our natural resources and health of our environment I feel that they will look upon Wilderness Areas as PRESERVES that will be open for "development" in the future. To illustrate my point I would like to refer to the June/July issue of National Wildlife published in the United States. At this very time an important battle in the conservation movement is being fought only a few miles south of our borders in the White Clouds Mountains of Idaho. Here, in an area eight by ten miles long in country not unlike that located near the head of the Red Deer river, a mining company plans to establish an open

3

pit mine to remove 20,000 tons of rock per day and mill to produce low-grade molybdenum ore on the spot--an ore, by the way, that is not in short supply. The development is planned in the Salmon River drainage which is the most important spawning area for anadromous fish in the entire Columbia River system! With the American influence in many of the companies "developing" Alberta's resources, do you think they will treat our land any better?

Membership of this committee could well include:

1. Trained Biologists (eg. ecologists) from our Universities in Edmonton, Calgary, and Lethbridge.
2. President or representative of the Wilderness Society.
3. Representative from the Alberta Fish and Game Federation.

Of the responsibilities of the Advisory Committee I feel that Section 5, Subsection 5c "withdrawing lands from an existing wilderness area . . . will very seldom, if ever, be implemented." With our increasing demands made on our land such removal must be avoided.

Of concern to all of us is Section 9, Subsection 2abc, dealing with pipe lines in wilderness areas. When required by law according to prior mineral rights, careful planning would prevent undue damage to the area.

I am encouraged that our Government is considering this important area of legislation. It is unfortunate that the boundaries of the proposed Wilderness Areas will not be protected by legislation. Order-in-Council directives are only marginally acceptable.

I offer my support to this legislation.

Why The Wilderness Should be Saved.

By: Dawn Cronkhite, 2519 1st Ave N. W., Calgary 42.

Kids like me need a place to hunt Big Game animals in the present and the future. The animals need a place to hide and should not be pushed back any further.- because of idustry using their habitat. People who want to see plants and animals may see them in their natural surroundings and not go to a museum or a zoo.

I saw for myself how industry wrecked McGillvray Creek at Coleman. I have been on on three cleanup campaigns and I know what happens after people get a good thing- they wreck it too. This make me think garbage should not be left in a wilderness area or industry allowed to go in and ruin it.

For exampl.e Archers Island in the Bow River below 25 Street N. W. was a place where the kids could go and watch tadpoles, minnows and birds. Then a construction company came along and dug out most of the island so they could have gravel to build a bridge (they could have got the gravel out of the river just as easy without ruining the island) . The ~~island~~ island is now just a lump of dirt- and the kids have to swim the river to get to it. So I don't think we have to go all the way out of Calgary to find wilderness to save. we should save what we've got in Calgary- like Inglewood bird Sanctuary where I once helped feed the ducks.

I don't think we should have to pay to use the Wilderness area. I was down in Oregon to the sea lion caves and we had to pay just to go a few feet and peek over a cliff at the pacific ocean and see the sea lions. I don't think that is right.

I think that industry has got away with too much pollution and if you let them into the wilderness they will soon ruin the forests, smoke up the land and silt the streams up until the fish die off. There are a lot of poor kids in Calgary and I think they should be rewarded by a trip to wilderness areas when they work so hard to clean up the rivers.

In summary we need to save all kinds of wilderness- but, not. just for those who can afford it.

Dawn Cronkhite

The Following Brief is Respectfully Submitted to

The Public Hearing

On The

Proposed Wilderness Act (Bill 106) For Alberta



Davis

45 St. S.W.

gary 5, Alberta

July 29, 1970

JULY 29, 1970

Any meaningful wilderness legislation must be built around a specific definition of wilderness. This is because wilderness means different things to different people. Some people can have a wilderness experience in a campground or on a lonely city street. Others require the solitude of remote back country.

The definition of wilderness used in the U.S. Wilderness Bill specifies the type of wilderness that I want in Alberta. It reads as follows; "a wilderness, in contrast with those areas where man and his works dominate the landscape, is hereby recognized as an area where the earth and its community of life are relatively untrammelled by man, where man himself is a visitor who does not remain." Activities such as logging, livestock grazing, highway construction, seismic exploration, oil and gas drilling and production, coal exploration and mining, quarrying, pipeline and powerline construction, and commercial recreation must be prohibited within the boundaries of such a wilderness.

The four small Provincial wilderness areas that we do have in Alberta have no legal protection from mineral dispositions made under the Mines and Minerals Act or from surface rights granted under the Right of Entry Arbitration Act. Section 7 of the Willmore Wilderness Park Act (1959) states emphatically that "nothing in this Act affects the administration and control of mines and minerals within the area of the Park."

Petroleum and natural gas leases granted in 1963 exist in the Whitegoat and Siffleur wilderness areas. The leases were granted prior to the establishment of these areas as wilderness under the Public Lands Act in 1965. Last year Scurry Rainbow drilled a wildcat well on Opabin Creek within the boundaries of the Whitegoat Wilderness. Several townships in Alberta's largest provincial wilderness, Willmore Wilderness Park, were deleted by the government for

construction of the Alberta Resources Railway and for McIntyre Porcupine's coal mining operations in the Smoky River watershed. Another large portion of the Park, comprising the upper reaches of the Wildhay and Berland rivers, is under coal exploration reservation and will probably be deleted soon.

It is thus not surprising that the Alberta Government is experiencing difficulty in establishing wilderness legislation that will be effective in preserving wilderness values. Mineral rights have already been granted in established wilderness areas. Equally disturbing is the fact that mineral rights have also been granted throughout most of the remaining provincial public lands suitable for wilderness classification. These lands include the upper reaches of the Wapiti, Kakwa, Cardinal, Blackstone, Clearwater, Red Deer, Kananaskis, Highwood, and Oldman rivers. Furthermore, all of the areas involved in the forthcoming August 18th sale of petroleum and natural gas reservations have a high potential wilderness value.

As it now stands BILL 106 is completely unacceptable to me. Because the Alberta Government has to legally honor commitments to owners of mineral rights, all that the proposed Act will provide is a continuation of the "de facto" type of wilderness, that is, wilderness in name only.

I would strongly recommend that the Alberta Government

1. buy back all existing mineral rights in established wilderness areas,
2. discontinue the disposition of mineral rights in established wilderness areas, and
3. discontinue the disposition of mineral rights in the upper Rocky Mountain watersheds or in other areas with potential value as wilderness until such time as the values of all resources in the

area concerned receive due consideration at a public hearing,
or until a rational, balanced, interdepartmental land use
decision is reached.

As an initial step in this regard I recommend that the Government cancel
the August 18th sale of petroleum and natural gas reservations in the upper
Elbow, Kananaskis, Spray, Ram, and North Saskatchewan watersheds.

Unless the realities of the Mines and Minerals Act, and the Right of Entry
Arbitration Act are challenged, we in Alberta will have a Wilderness Act with
no wilderness to protect, at least not wilderness by my definition.

CALGARY CHAMBER OF COMMERCENATIONAL AND PROVINCIAL PARKS COMMITTEESUBMISSION TO THE GOVERNMENT OF THE PROVINCE OF ALBERTA RE
THE WILDERNESS AREAS ACT

The National and Provincial Parks Committee of the Calgary Chamber of Commerce has examined carefully the Wilderness Areas Act being Bill 106 of the 1970 sittings of the Legislature of the Province of Alberta.

We unequivocally congratulate the Government of the Province of Alberta for not only recognizing the necessity of the preservation of wilderness areas but also for the steps which the Government proposes to take in the maintenance of such areas. The need for such areas and their long term protection cannot be doubted. It is said that many United States cities are now faced with an geographical environment which contains no wilderness areas for 50 miles or more. It is, in our view, a tragedy that this can happen when a little foresight would have revealed that once the wilderness is gone, it can never be regained. Thus, the legislation proposed in the Province of Alberta is a strong step along the path leading to recognition of a natural environment requirement for oppressed and compressed urban residents.

It is somewhat difficult to understand why the Wilderness Areas Act was left as a separate entity from the Environment Conservation Act which was assented to on April 15th, 1970. It appears to us that the Wilderness Areas Act is not too much more than a manifestation of certain principles arising from the Environment Conservation Act, which principles are so adequately set out in Section 3. of the Environment Conservation Act. It may be in the future that the two Statutes could usefully be combined.

In our examination of Bill 106, the Sections which are not mentioned hereafter are thought to be satisfactory in their present form. All references to Sections hereafter pertain to Sections in Bill 106, except where otherwise noted.

We are particularly pleased with the choice by the Government of the name of the Act. In this regard, we will not find ourselves involved in the problem of "what is a Park?".

Examination of Section 4. elicited a view that a definition of wilderness areas should contain an outline as to the reason for the establishment thereof. The present Section 4. has much similarity to Section 4. of the National Parks Act of the Dominion of Canada. Unfortunately that Section 4. of the Federal Statute has been expanded and compressed to suit everybody's requirements to such an extent that highways, for example, are permitted to be continued and to be expanded within National Parks. We think certain guidelines for the establishment of wilderness areas and for their maintenance are needed. Ecology should be a pronounced aim of this Act because the establishment of wilderness areas without regard for an ecological system borders upon foolishness. Clearly, a wilderness area must be capable of supporting within itself a type of life which should be clearly defined and calculated prior to the establishment of the wilderness area; otherwise, what is its value?

It is our submission, then, that Section 4. be revised to establish clearly the following things:

1. A recognition that wilderness areas must be created not only for the purpose of natural beauty but also for the value that they may play in the continuance of the survival of certain pre-determined flora and fauna.

2. An inclusion of a clear development of the protection from impairment theme. Settlement and industrial development are easily definable from their own names. What "impairment" may be is a subject of interpretation and we feel that it would be highly unfortunate if our wilderness areas in this Province (when they are established) should become involved in the same type of "in-fighting" that now surrounds the National Parks Branch administration, i.e., developers v. conservationists.

A further thought which may bear consideration is that wilderness areas should be adequately marked so that no person can unknowingly trespass upon them by means of one or another form of transportation without being aware of their existence. The best and clearest route in this direction will, of course, be to deny all road transport into them, but this is only one means of demarcation.

Section 5. (1) offers considerable problem in its present form. An examination of the Interpretation Act of the Province of Alberta reveals that the word "may" is only

permissive. It is our view that the entire value of Bill 106 is defeated by the use of this word and as a result the word should be changed to the imperative "shall".

In view of the enactment of the Environment Conservation Act which calls for the establishment of the "Environment Conservation Authority" and the "Conservation and Utilization Committee", it is felt that the "Advisory Committee on Wilderness Areas" should be modified in the following manners:

1. The Advisory Committee should consist of not less than seven members.
2. Not more than two of such members should be employees of the Government.
3. There should be at least one recognized authority on conservation matters as a member.
4. The balance of the members should be comprised of professional and regional representatives.
5. A quorum for this Committee should be five members.

The foregoing thoughts will then bring into play in one committee a responsible group of non-governmental persons with a wide variety of experience in this particular field and in view of the existence of the two bodies enacted under the Environment Conservation Act, both of which will clearly have a public servant majority, it is suggested that the Advisory Committee should be well weighted the other way so that all opinions may adequately be brought to the attention of the Minister from time to time.

Insofar as Section 5. (3) appears, we are again concerned by the inclusion of the permissive "may". We submit that this should be changed to the mandatory "shall" because in our view there is no reason why any private member of the Advisory Committee should be treated financially in any way different to that which his Government counterpart is treated.

Section 5. (6) also drew observation and we submit that the Advisory Committee should only be required to forward a copy of its recommendations to the Environment Conservation

Authority for its information. The way that the present Section 5. (6) reads, there is a clear inference that the views of the Advisory Committee may well have to pass the scrutiny of the Environment Conservation Authority before the Advisory Committee can make such views clearly known to the Minister. This, we feel is not a proper procedure in view of the objects which the proposed Statute is supposed to gain.

Examination of Section 6. brought forth the view that in any geographical area where a significant effect arising from the creation of wilderness areas or alteration to existing areas may be had, a public hearing should be held as a mandatory requirement prior to the formal presentation of the Committee's views to the Minister. Again, this is an attempt to cause an opportunity to be afforded to all citizens to be heard on the question of wilderness areas. As we read Section 6. at the present time, we do not see any particular value in holding public hearings at least once a year. There may well be a period of time in which no additions, alterations, or amendments to wilderness areas may be contemplated and in the result such a mandatory period may not be of any value.

We do feel, however, that a further consideration should be given to the holding of public hearings in response to a petition from more than a designated number of persons concerning a wilderness area or the establishment thereof. We think that it is reasonable and proper for the power to be given to the Minister to direct at any time that it appears to him proper the Advisory Committee to hold such public hearing in addition to the provision for a response to a petition.

Sections 7., 10. and 11. are, in our view, something of an exercise in confusion and could we suggest be combined into one Section. Clearly, the powers of the Minister under Section 7. are needed subject to the following recommendations. Section 11. (2) (b) should also be included. Section 10. could then be added as a second sub-section and Section 11. (1) would be a further sub-section. We do not regard the inclusion of Section 11. (3) as good in such a new Section but suggest that it be a separate Section of the Act.

We further suggest that in the present Section 7. the absolute discretionary powers conferred upon the Minister ought at least to be modified by including the statement that the Minister shall not carry out the measures or programmes without

without at least advising the Advisory Committee of his intention so to do where such measures may in any way interfere with wilderness areas.

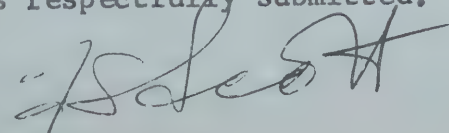
Further, as a specific point, Section 11. (1) (a) is somewhat ambiguous when it uses the word "motor-powered" and the wording of that Section almost leads to a triple negative situation. We are concerned as to what is meant by the expression "motor-powered". Does this pertain to all types of locomotion whether they may be of a pollutive quality or not? The same question might also pertain to means of locomotion that are absolutely silent.

Finally, as a specific in this area, Section 11. (2) (b) (iii) should be expanded to state "emergencies involving the health or safety of persons and wild life, or".

Dealing with Section 8., we feel that a positive statement should appear in the Wilderness Areas Act to the effect that the Crown shall make every effort to reacquire permits and other legal liabilities within wilderness areas and proposed wilderness areas provided that the establishment of the wilderness areas is deemed to be more important to the development of this Province and its mental and physical health than the industry for which the legal liability or permit has created or granted. In this regard, the Province may well have to enter into an intensive evaluation of the contractual obligations it has now already created but inasmuch as time is running against us in our efforts to protect and conserve valuable wilderness areas, it is felt that this task is of maximum immediate priority.

Again, may we commend the Provincial Government for the enactment of the Environment Conservation Act and also for the proposal of the Wilderness Areas Act being Bill 106. The Calgary Chamber of Commerce wishes to make its position clear that it will support the Government of the Province of Alberta to its maximum ability in the establishment of such systems for the maintenance of a sound total environment as are now contemplated.

All of which is respectfully submitted.



Fred L. Scott
Chairman
National and Provincial Parks Committee

The Calgary Chamber of Commerce

CANADA PERMANENT BUILDING, 315 8TH AVE. S.W., CALGARY 2, ALBERTA, TELEPHONE 263-7435, AREA CODE 403

August 5th, 1970.

C A
D THE
Mr. H. H. Somerville,
Deputy Minister,
Department of Mines and Minerals,
Agriculture Building,
9718 - 107th Street,
EDMONTON 6, Alberta.

Dear Sir,

Re: Submission on the Wilderness Areas Act

The Executive of the Chamber met at noon and we discussed the National Provincial Parks Committee brief to the Province given on our behalf by Fred Scott Jr., Chairman of the National and Provincial Parks Committee. We feel that it is a fair summary of the policy adopted by the Calgary Chamber of Commerce with respect to wilderness and natural parks.

The paragraph in the centre of page 5, dealing with Section 8, might need further explanation, as it is possibly open to one or more interpretations. The thought that we were trying to bring forward by this paragraph is that wilderness areas should be established only after considering the benefits accruing from the exploitation of natural resources in the area. It is true that this is not an easy task. It might be that tentative areas are outlined and opened for exploration for a number of years, subsequent to which they could be made wilderness areas if no success or encouragement is found.

We do not interpret the paragraph to mean a unilateral expropriation of existing leasehold rights in those areas designated wilderness areas without a detailed analysis of the economic advantages to the Province by natural resource exploration and production, and possibly a hearing to give holders a right to present their side of the case. I think that we could summarize by saying that the Chamber of Commerce believes there should be a melding of the two objectives without disregard to either.

- 2 -

August 5th, 1970.

Mr. H. H. Somerville.

I am enclosing herewith four copies of Mr. Scott's submission, and I would add that I appreciate your call and the right to clarify the paragraph mentioned.

Yours very truly,

COPY SENT D. E. LEWIS

D. E. Lewis
President,
Calgary Chamber of Commerce.

DEL/sl
Encs.

(2)

A BRIEF TO THE COMMITTEE
ON BILL 106
AN ACT REPECTING WILDERNESS AREAS

BY: B. Berg
Calgary, Alberta

SECRETARY
CALGARY FISH AND GAME ASSOCIATION

ly 29, 1970

Mr. Chairman and committee members.

The Calgary Fish and Game Association has for several years requested that the provincial government enact meaningful legislation toward the establishment and protection of our vanishing wilderness resource. The Alberta government, in its wisdom, has not seen fit to propose legislation that would ensure, for this and future generations, the quality of life that areas in primeval condition bring to a nation.

Bill 106: An Act Respecting Wilderness Areas, in the opinion of this Association, has several sections and subsections which leave the door open to exploitive natural resource interests. The briefs presented by the Alberta Wilderness Association and the Alberta Fish and Game Association are very representative of our views with regard to "loopholes" in Bill 106 which permit extractive interests to operate in areas designated as wilderness. As the views of this Association and the above mentioned are very similar we feel little need to take up the committee's time with repetition. However, we disagree with the negative position taken by these organizations concerning the restriction of recreational use in wilderness areas. It must be recognized that certain recreational uses can upset an ecosystem dramatically. An example of such an upset can be seen in the localized over-grazing and trampling damage by horses near outfitter base camps and along trails in our National Parks. This damage leads to critical erosion problems, particularly in alpine areas.

This Association endorses section 11(1)(b) in principal, but would like the section expanded to include other recreational uses than those presently in the Bill.

Due to the very nature of the wilderness concept in the minds of those interested in the problem -- ideas which are rarely similar except on basic issues -- the Calgary Fish and Game Association would like propose the following:

that wilderness areas be established on a priority basis according to use. Embodying such a provision in Bill 106 would ensure that all sectors of the public -- the hunting layman to the professional scientist -- would have access to areas largely free of other interests. These areas, due to their very nature, the amount and type of use, would have to vary considerably in size.

A provision of this type could be organized on the sample outlined below.

Class 1 Wilderness Area: no person shall

- (a) travel in a class 1 area except on foot, on horseback, or by means of a vehicle or boat that is not motor-powered or
- (b) enter or travel within a wilderness area for the purpose of walking, hiking, photography, skiing, snowshoeing, boating, hunting, fishing, horseback riding, bicycling or tobogganing.

Class 2 Wilderness Area: this type of area would restrict travel and use by some sectors of the public to protect an ecosystem.

Class 3 Wilderness Area: a class 3 area would be established for the protection of plants and animals in danger of becoming scarce in Alberta, due to the encroachment of civilization.

Class 4 Wilderness Area: would provide for the protection of a geological, scientific, educational, scenic, or historical monument.

Class 5 Wilderness Area: would establish environmental control areas, to be limited to the use of professional scientists upon receiving permission from the "Advisory Committee on Wilderness Areas".

The Alberta government has shown some courage in presenting Bill 106 to the Legislature. It will take greater courage and resourcefulness to make the Bill into a meaningful piece of legislation for the protection and establishment of wilderness as a political fact and not as a tool for resource manipulators.

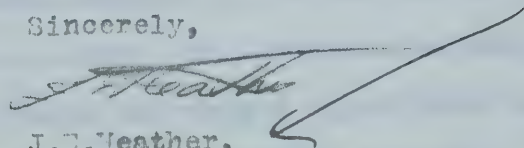
627 - 104 Ave. S.W.
Calgary 13, Alberta.
July 14, 1970.

Hon. A. Dixon, M.L.A.,
Speaker of the Legislative Assembly,
477 Brunswick Ave. S.W.,
Calgary, Alberta.

Dear Mr. Dixon;

As a voting member of your constituency, I urge you to give the enclosed your most careful consideration.

Sincerely,



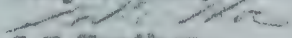
J.E. Heather,
Vice-President,
Calgary Fish and Game Association.

cc: Hon. Mr. J.D. Ross
T.J. O'Keefe

As a private citizen, Bill 106, "An Act respecting Wilderness areas", does not meet with my approval. The following points of opposition are made with respect to this proposed legislation.

1. I would object most profoundly to Section 9, sub-section 2, points a, b, and c. By allowing such clauses to appear in an act of this nature, we would be condoning rather than preventing the deterioration of any ecosystem or group of ecological systems so designated as Wilderness Areas. I am of the opinion that a Wilderness Area should belong to the people and be perpetuated on their behalf. It should not fall into the hands of small minorities, concerned only with profit motives. I am compelled to think that such individuals contribute more to their own interests than they do to the economy of the province of Alberta. Concerns of this nature must not be allowed to seek exploitation of all wilderness environments.
2. I am also in disagreement with Section 11, subsection 2, point b. I would suggest that hunting as a form of recreation be allowed to take place in a Wilderness Area, under the proper supervision and in accordance with the policies of the Fish and Wildlife Division. To allow persons to pursue gamebirds and mammals by hunting would not prove detrimental to the welfare of the Wilderness Area, nor would it contradict the purpose of this act.
3. Also in protest I do not comply with section 11, subsection 2, point A. I feel that horseback as a means of transportation should be included only if it is specified that financially-oriented enterprises such as big-game guiding and trail-riding be prohibited.

Respectfully submitted,


J.E. Heather.

cc: Hon. A. Dixon
Hon. J.D. Ross

A BRIEF SUBMITTED TO THE GOVERNMENT OF THE PROVINCE OF ALBERTA CONCERNING THE PROPOSED WILDERNESS ACT, AND ESPECIALLY CONCERNING THAT PORTION OF THE FOREST RESERVE FROM THE SOUTH BOUNDARY OF THE RED DEER RIVER WATERSHED TO THE PEMBINA RIVER IN WHICH THE ESTABLISHMENT OF A "SUSTAINED-YIELD CUTTING CIRCLE" FOR PULP OPERATIONS IS BEING PROPOSED.

First, I would like to lend my support to the amendments proposed by the Alberta Wilderness Association, and the Fish and Game Association to the proposed Wilderness Act put before us tonight. I hope that an amended version of this act will meet with rapid passage by our Legislative Assembly. I would, though, like to comment mainly on the proposal of our provincial government to attract a pulp operation to the east slope of the Rocky Mountains in the foothill region encompassing the Red Deer, Clearwater and Saskatchewan River drainages. This operation will encompass areas of immense wilderness value, and will border not only a number of our current Wilderness Parks, but in places the National Parks. I have traveled by foot and vehicle through much of the proposed area and while I do not have available to me enough information to accurately question the validity of sustained yield cutting for this area, my distinct impression is that the area in question will not support a pulp operation on a sustained yield basis. However, because of this lack of information, my brief will necessarily be in the form of a query.

I understand that in 1965 a report to the government of this province was made by Mr. R. Loomis, of the Land and Forests Department concerning the feasibility of pulp operations in this area on a sustained yield basis, and that this report was affirmative toward this end. However, to the best of my knowledge, this report was not made public. I assume that on the basis of this report the government is moving ahead in its attempt to attract capital investment toward the establishment of a pulp mill and cutting operation.

I am also assuming that the government has reached its decision after careful consideration, and that the area in question will support a pulp-wood harvest on a sustained yield basis, and that this harvest can be accomplished simultaneously, and without detriment to other uses of the area, e.g. recreation (including hiking, climbing, camping, fishing, and hunting), wildlife habitat, grazing and the yield of high quality water for domestic and recreational use. I hope that it has taken into account the past, and predictable future removal of timber, surface vegetation, and in some cases top-soil during the process of mineral and oil exploration and exploitation (including access roads, seismic trails, gas pipelines, and well sites) which will interfere with, or in many cases preclude sustained yield management for timber. I also assume that it has taken into account that area which must be left as buffer zones on both sides of streams (inadequate as they may be), and of course the loss of area from dams, power lines, and reservoir sites which have been proposed for the rivers and streams of the

area. Last, but not least, I hope it has exempted from any and all cutting at least some of the magnificent areas west of the North Forestry Trunk Road abutting onto the National Park or present Provincial Wilderness Parks. Am I correct in the above assumptions?

I make these queries not just as a citizen of Canada, and a resident of this province, but also as a professional forester, with academic and practical experience in forestry and its related sciences. I possess a bachelor's degree in Forest Management, ~~and~~ master's degree in Forest Ecology, and a doctorate in Forest Tree Physiology. I believe that I have some understanding of my field, and of the problems facing sustained yield management programs, especially those concerning regeneration of commercial forest species after harvest of the natural crop.

With this background, then, I ask you, my government, to make available the following information:

1. Total land area proposed as part of the sustained yield cutting circle.
2. Actual forested area [excluding rock outcrops, meadows, swamps, maintained roads (present and proposed), gas lines, well sites, reservoirs, etc.] within the total land area, including:
 - (a) inventory information re total cubic feet of merchantable timber
 - (b) site classification (e.g. growth potential)
 - (c) present degree of stocking
 - (d) age classes
 - (e) species composition
 - (f) percentage of overmature stands
 - (g) percentage of stands containing saw timber or plywood size trees
3. Those areas within the total land area proposed which will be exempted from cutting because of outstanding recreational, wilderness or wildlife habitat features.
4. Those areas within the total land area proposed which will be exempted from cutting because of necessary buffer strips on each side of rivers, streams, and creeks.
5. Those areas within the total land area proposed which have a high probability of being exempted from "sustained yield management" (but not initial cutting) because of mineral or oil exploration and exploitation based on current lease holdings.
6. Those areas within the total land area proposed which should be exempted from initial, and perhaps continued pulpwood production because they have a higher production potential ~~and~~ sawlog or plywood production.
7. That land area now in private hands which is expected to play a part in the "sustained yield management of the cutting circle".
8. Proposed location of the pulp mill, its daily capacity, the processes to be used, whether or not aspen and poplar can be utilized, and information dealing with the degree of air and water pollution to be expected from the mill.
9. Effect on sawlog and plywood operations now in existence of placing the proposed area into pulpwood production and the effect on future availability of sawlog material.
10. Detailed information from the other "Sustained Yield Cutting Circle" operations within the province re their success in regeneration of commercially

important conifer species after harvest, and their status within their sustained yield timetable (i.e. 10 years behind, 10 years ahead).

11. Location of, and inventory within, "safety margin" land area proposed for emergency use in case of large scale catastrophe such as fire, insect or disease attack, or blowdown which could upset a sustained yield timetable.
12. Proposed degree of utilization (i.e. to 3 inch top, large branches chipped in field, utilization of aspen, etc.) of the wood fiber resource to be cut.

I, along with many other residents of Alberta, am afraid that this lovely, scenic, and productive (in many other ways than just timber) area will be sold for a pittance to an industry which has not a hope of operating on a sustained yield, but rather will demand ever increasing acreages, or will go out of business 30, 40, or 60 years from now when the "old-growth" is cut, and before the "second crop" has reached rotation age. Given all of the other uses presently being put to the land, and the demands expected of the land in the future, specifically mineral and oil exploitation, and recreation, it is possible that sustained yield of timber within the area as a cutting circle for a pulp operation will not be feasible. Even so, it would be possible to manage the eastern portion for pulpwood, shipping chips to Hinton, and the western portion for sawtimber and plywood production. Both areas could thus be managed in perpetuity on a sustained yield, but without the pressing demands of a pulp operation distorting the priorities for use, or cutting time.

I think that most of the province would like to see answers to these and other queries concerning this area, and once having examined them, will make their views known publicly, and to their elected representatives. I ask you to give them this chance, and to delay the asking of, or acceptance of bids for the proposed pulp operation. I would ask that this information be made available through the news media, as well as by formal request to the government. I thank you in advance for your consideration.

Richard P. Pharis
334 Superior Avenue S.W.
Calgary, Alberta

27
1916 - 37 Ave. S. W.,
Calgary 7, Alberta.

July 28, 1970

Dear Sir:

The following letter contains my views on Bill 106.

Section 3: - Subsection (1): Any lands may become wilderness areas, not just public lands. Any lands defined as wilderness by specific boundaries must be done so as an act of Legislature not just proclaimed by the Lieutenant Governor in Council.

Section 4: - In order for Legislation to protect wilderness areas, wilderness must be thoroughly defined and a thorough preamble stating the purpose of wilderness.

Section 5: - Subsection (5c): Any wilderness areas designated to be withdrawn must only take place on the floor of the Legislature by amending the act. This will give people a chance to learn of the proposed change and voice their opinions.

Section 6: - There should be more guaranteed hearings held all over the entire Province. Subsection (1b): - There should be no thought of withdrawing any lands from wilderness areas.

Section 7: - Further definition is required as stable water conditions could include the construction of dams.

Section 8: - This provides a loophole for exploitation. The Right of Entry Arbitration Act must be overruled. Expropriate and buy old leases, permits, rights, freehold, etc. to compensate for previous commitments.

Section 9: - Unnecessary, if Section 8 is worded properly.

Section 11: - Subsection (1b) is unnecessary. Legislation must not dictate management decisions; regulations should be established for management to follow. Subsection (1c) should also provide for a minimum ceiling for all flights over wilderness area. (except for an emergency). Subsection (2b-IV) is unnecessary if Section 8 is worded properly. Subsection (3) should provide for restitution as well as penalties.

Section 12: - There must be provision for restitution as well as penalties.

Guaranteed protection of wilderness areas are long over due and I am very pleased that the government is finally taking an interest in this matter.

I would also like to see the government take similar steps to define and guarantee recreational areas.

Yours truly,

Ray Hopland
Ray Hopland.

Mr. R.T. Ogilvie

BRIEF REGARDING

BILL 106

AN ACT RESPECTING WILDERNESS AREAS

PRESENTED AT THE PUBLIC HEARING, JULY 29, 1970

BY THE CALGARY FIELD NATURALISTS' SOCIETY

The Calgary Field Naturalists' Society is pleased that Bill 106, An Act Respecting Wilderness Areas, has been prepared for submission to the Legislative Assembly, and appreciates the opportunity for discussing the terms of this Act. We believe that it is absolutely necessary to have a legislative act to regulate the establishment, administration, management, protection, and preservation of the Wilderness Areas of Alberta. The Calgary Field Naturalists' Society submits the following comments on the specific terms of the Wilderness Act:

Firstly, we believe that the Act needs a formal definition of the term 'wilderness'. We propose that the Act state that wilderness is 'wild land' unaltered by human activity.

SECTION 3 : Establishment of wilderness areas.

We recommend that such areas be established by the Legislature, rather than by the Lieutenant Governor in Council. We recommend, as well, that once a wilderness area has been established, it may not be withdrawn from this category except on the recommendation of the Advisory Committee and the Minister, and with approval by the Legislature.

SECTION 4 : Purpose of wilderness areas.

We agree with the definition of the purpose of wilderness areas as expressed in the Act. We would suggest that the broadest possible interpretation be placed on the phrase 'preservation of their wilderness character'. In accordance with our initial definition of wilderness, we recommend the insertion of this additional purpose:

Wilderness areas are established for the purpose of maintaining their wild nature, unaltered by man.

SECTION 5 : Advisory Committee on wilderness areas.

We believe that the Advisory Committee should be something more than a body which advises on the establishment of new wilderness areas; rather it should be a body of expertly-trained ecologists and conservation scientists who have a continuing regulatory control of wilderness areas once they are established. Furthermore, we believe that the Advisory Committee must be composed of individuals and scientists with specialized knowledge of and interest in conservation matters and in the preservation of wilderness areas, and that it should include Federal Government and university scientists.

SUBSECTION (1): We recommend that the phrase 'The Lieutenant Governor in Council may establish....' be amended to read

'The Lieutenant Governor in Council will establish....'

SUBSECTION (2): We recommend that this subsection, which reads

'A majority of the members appointed shall be persons who are not employees of the Government' be amended to read 'No more than a third of the members appointed may be employees of the Government.' And furthermore, in calculating the majority, that university scientists should not be considered as Government employees.

SUBSECTION (4): We recommend that this subsection, which reads

'The Advisory Committee shall meet at the call of the chairman' be altered to read 'The Advisory Committee shall meet at the call of the chairman or at the request of a majority of the

Bill 106 -

-A brief discussion of it-

By Terry McKay

July 24, 1970

Mr. J. Donovan Ross,
Minister, Lands and Forests Dept.,
Edmonton, Alta.

Dear Mr. Ross:

In presenting this bill you have shown you are a man of many contradictions. I will quote section 4 in order that you may dwell upon it at length.

"Wilderness Areas are established for the purpose of preserving their natural beauty and wilderness character and protecting them from impairment, settlement and industrial development, and thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations."

Remember the above Mr. Ross as various sections of the bill severely test the purpose of that statement.

In section 8, you state no disposition of Wilderness lands shall be made under any previous act; yet, you allow for legal liability against the crown. Therefore, Mr. Ross, you have just said the government has followed a practice of allowing development of wilderness areas. Was that the original intention in setting up these areas? I daresay not! You say development of wilderness areas would be allowed if "the liability arose before the land concerned became part of a Wilderness area by this Act or by amendment to this Act." The decision to create a wilderness area is not a 'snap' one Mr. Ross! You are saying here that you would consider creating a wilderness area, yet you would also allow development in that area at the same time.

With that sort of arrangement, I yell "Foul Play", and wonder what type of thinking exists in the heads of our Lands and Forests people.

In section 9 you make allowance for Pipe lines in Wilderness areas. Pipe lines mean access roads, construction camps, maintenance roads, fuel dumps and the like. Casting a glance back to section 4, you definitely stated, "'no impairment, settlement and industrial development" should be allowed. A definite contradiction exists here. No development of any kind should be allowed. I shudder at your usage of the words "production operations" in 9-2c. To my mind, this connotes Strip mining and memories of Forestburg and Wabamun leap into view. But, perhaps in putting this section in, you have been influenced by persons outside your department. I speak specifically of Mr. N. Berkowitz, Head of the Coal Research Division, Research Council of Alberta. Has his report, "The Probable Environmental Effects of Coal Mining and Combustion in Western Canada" had any influence in the writing of this bill?

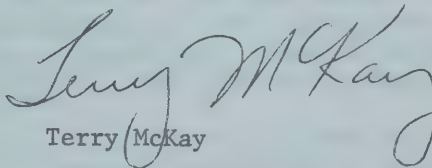
In section 10, you state no one shall be allowed in the name of the crown to operate a Public structure or installation in a Wilderness area. I agree and ask you to disallow any Private work, structure or installation in a wilderness area.

I have briefly discussed the points of the bill I bear grievance with. I am in concordance with your definition of Wilderness areas and your plans for an Advisory Committee on Wilderness Areas. I agree with the planned schedule of meetings for this committee and I agree with the allowable measures stated in section 7. I think your restriction of travel in a wilderness area as expressed in section 11 is good. Section 12 definitely outlines the penalties for violating a Wilderness area and this is a good feature.

Dr. Ross, I want the following changes made:

1. Section 5 and 6 - the purpose of the Advisory Committee shall be only to consider the establishment of a new wilderness area or the addition of lands to an existing area. Withdrawal of any lands from an existing Wilderness area shall be done only by consent of the Legislative Assembly.
2. Section 8 - The Crown shall make no disposition of land in existing Wilderness Areas and any disposition of land in these areas shall be considered void under the passing of this Act. All legal liability shall be void. (It wasn't legal in the first place).
3. Section 9 - No development or pipeline is to be built in a Wilderness area.
4. Section 10 - No one shall construct, maintain, repair or operate any public work road, railway, aircraft landing strip, helicopter base, structure or installation in a Wilderness Area.
5. An additional section added specifying that no development of any kind should take place. This would leave a Wilderness area in an unchanged natural state.

In conclusion, Dr. Ross, I will indicate my feelings on this bill in a way that politicians never fail to understand. If you submit this bill in its' present form, and it is passed by the Legislative Assembly, I will do everything I can, use every talent I have to kick you and the Social Credit Government to hell out of Edmonton.

A handwritten signature in cursive script, reading "Terry McKay". The signature is written in dark ink and is positioned above the printed name.

Terry McKay

1741 - 1 Ave. N.W.,

Calgary 42, Alta.

359 Scarboro Avenue SW
Calgary 4, Alberta

July 25th, 1970

P. Geol.

32

Dr. V. A. Wood, Deputy Minister
Department of Lands and Forests
Natural Resources Building
Edmonton 6, Alberta

Dear Dr. Wood,

Re: Comments on Bill 106, Public Hearing Calgary, July 22, 1970

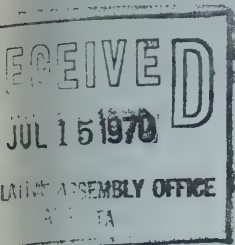
The Government of this Province is to be congratulated for its effort in preserving Wilderness Areas. Its proposed Bill 106 goes far in setting up the legal framework within which this can be accomplished. Please consider the present letter as a written submission at the above quoted Public Hearing, at which I may not be able to be personally present.

1. The establishment and cancellation of wilderness areas often take place in an atmosphere of conflict between commercial and conservationist interest. It is tantamount that this not be done by the Lieutenant-Governor in Council, but by the Legislature, where debate is possible.
2. As a wilderness area is presumably set up to preserve wilderness for generations to come, it appears to me self-defeating to include any clause at all referring to the "withdrawal" of lands from established wilderness areas.
3. Having been actively involved in a resource exploring and exploiting industry in Alberta for the past 15 years, and having personal knowledge of the lack of concern and disregard for conservation measures displayed by a great number of field employees --despite the apparent good-will of some Company managements-- I am greatly concerned with the loopholes provided by Section 8 of the proposed Bill 106. No activities of the sort foreseen in that section should be allowed in a true wilderness area. Present legal liabilities of the Government in new and future wilderness areas should be exchanged, compensated or expropriated, similar to actions taken by the Quebec and Federal Governments in the case of the newly established National Park on Gaspé's Forillon Peninsula.
4. In line with present thinking of compensation to the victims of illegal criminal actions, section 12 should provide for compensation or restitution in addition to penalties.

In general, I must say that the Bill shows too many signs of compromise with commercial interests to be as effective as it should be. While commercial developments and progress are still too often equated, the dollar value placed on these developments is outstripped by the intangible values of preservation and conservation of the environment. I sincerely hope that the Government may see fit to follow my suggestions.

Yours respectfully,

ORIGINAL SIGNED BY
A. F. JACOBS



July 13, 1970

Clerk of the Legislative Assembly,
Legislative Building,
EDMONTON, Alberta.

Dear Sir:

WILDERNESS ACT (BILL 106)

I am in receipt of Bill 106 and must commend the Minister and his associates for their fine efforts to date. It is also noteworthy to see public hearings scheduled for discussion on the Bill.

In line, I am sure, with many other individuals and organizations, I would like to view my comments towards what I feel might put more teeth into such an important issue as preservation of some wilderness areas for future generations. They are as follow: -

1. Section 5.5c

The premise of Bill 106 is to create wilderness areas. It seems incongruous to make provision for withdrawing from created areas in the future under a possibly different political climate.

2. Section 8.1

The apparent misuse of the Right of Entry Arbitration Act by the Provincial Department of

Clerk of the Legislative Assembly

July 13, 1970

Mines and Minerals necessitates its inclusion in this section.

3. Section 9.2

This is a direct conflict with the entire concept of "Wilderness Area". A major source of destruction in our natural areas is due to the Pipe Line Act 1958. If we are to preserve true wilderness areas, by definition, facilities under the Pipe Line Act should be routed around such areas, not through them.

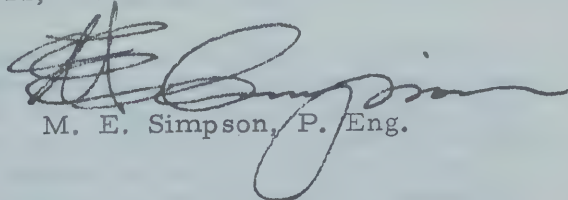
4. Section 11.2.IV should be omitted.

It would be a shame to have "wilderness areas" created under Bill 106 and then destroyed by legal loopholes or by conflict between various government departments. The Bill should be strong enough to supercede petty conflicts.

I trust my comments are noteworthy.

Yours very truly,

RICKETTS, EVERS & ASSOCIATES LTD.



M. E. Simpson, P. Eng.

MES:js

cc: Lt. Gov. Grant McEwan

(In view of your work to preserve our Natural Heritage.)

July 22, 1970

Dr. V. A. Wood, Deputy Minister
Department of Lands and Forests
Government of Alberta
Edmonton, Alberta

Dear Dr. Wood:

I attended the Wilderness Tomorrow conference at the University of Calgary last spring where you presented a description of Alberta wilderness plus an analysis of the mineral exploration rights and the Right of Entry Abritration Act which affected wilderness areas. My feelings following that conference were gloomy indeed, for I left with the distinct impression that wilderness areas were not sacred from any type of exploitation and that the Alberta government had little power to protect the wild resourses it possessed nor an appreciation of the basic human need for such primeval places.

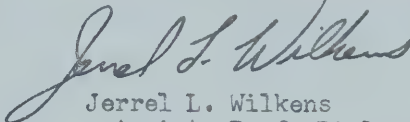
I now would like to compliment the Department of Lands and Forests for writing and introducing Bill 106 into the provincial legislature. I have spent considerable time studying this bill privately and with the National and Provincial Parks Association of Canada (NPPAC). My comments, in general, have been incorporated into the brief which will be submitted by the NPPAC; however, there are three concerns I would like to emphasize directly to you:

1. This bill provides no means of management of wilderness areas. My experience is that the existing areas are understaffed which contributes to some of the examples of game rape by hunters and other misuse of these areas, and I hope this will not continue.
2. I realize good game management dictates thinning of herds on occasion, a need arising from the artificially restricted ranges left to game animals even by the biggest wilderness areas, but I am deeply concerned for the very survival of all species of large mammals in the face of the present onslaught of professional hunting guides with large outfits and wealthy, kill orientated clients. Admittedly, these guides have interests at stake, but overriding them would appear to be a concern for the continued existence of a heritage which if destroyed could never be restored. Could not effective control of hunting be added to this bill and to hunting in general?
3. Section 12 of Bill 106 sets forth penalties for destructive use of wilderness, but in one important aspect these are inadequate. In no case is a guilty party required to make restitution of damage

caused. This restitution could include cleaning up oil spills, grading of strip mine tailings, or replanting of burned timber. The level of fines imposed by the bill would in no case even come close to paying for most damage as envisaged above.

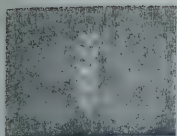
Again, thank you for introducing this bill, I hope my observations will receive your favorable attention, and I offer my whole hearted support in your efforts to have this legislation enacted.

Respectfully yours,

A handwritten signature in cursive script, reading "Jerrel L. Wilkens". The signature is written in dark ink and is positioned above the printed name and title.

Jerrel L. Wilkens
Assist. Prof. Biology
Executive Board of NPPAC

cc: Dr. D. Ross, Minister



DEPARTMENT OF GEOGRAPHY

Dr. V.A. Wood,
Dept. Lands & Forests,
Natural Resources Building,
Edmonton.
Alberta.

July 30, 1970

Dear Dr. Wood,

Please find enclosed with this letter two submissions to the government on Bill 106 on behalf of one organization and one citizen. These letters were inadvertently omitted from the brief submitted to you by the National & Prov. Parks Assoc./Canada, Calgary-Banff Chapter on July 29, 1970.

Yours sincerely,

Robert C. Scace.

Robert C. Scace

for NPPAC, Calgary - Banff Chapter.

Committee'. We feel that the important regulatory and advisory functions of the committee can only be served by frequent meetings, and that this can best be accomplished by the democratic process of assembly at the wish of a majority of its members..

SUBSECTION (5): which deals with the duties and responsibilities of the Advisory Committee. We recommend deletion of point (c): withdrawing lands from an existing wilderness area. We do not conceive of a situation in which it would be either necessary or desirable to withdraw lands from an existing wilderness area. We recommend, as well, the addition of a clause making the recommendations of the Advisory Committee binding upon the Minister.

SUBSECTION (6): which states that the Advisory Committee shall refer any recommendations to the Environmental Conservation Authority for its consideration. If this indicates that the Environmental Conservation Authority will have power of veto, we suggest that it should not have this power. To establish wilderness areas, a form of veto will already exist because of the need for the necessary regulations to go before the Cabinet prior to being formally promulgated by the Lieutenant Governor.

SECTION 6 : Public hearings respecting proposals for new wilderness areas and changes in existing ones.

We recommend that this section, which reads 'The Advisory Committee shall, at least once a year, hold public hearings...etc.' be

amended to read 'The Advisory Committee must, at least once a year, hold public hearings...etc.'. Provision should be made for the proposals of the Minister and the recommendations of the Committee to be made public in advance of the public hearings, in order that adequate examination of these proposals can be made by interested parties.

SECTION 7 : measures and programs to be carried out in wilderness areas.

The purpose of wilderness areas is, to quote the Act, 'to preserve their wilderness character', 'to protect them from impairment' and 'to maintain them unchanged by man.' In order to fulfill these purposes, no measures or programs can be carried out in wilderness areas. All standard management practices will alter their wilderness character and cause them to be changed by man. As biologists, foresters, agronomists, range ecologists, wildlife and fisheries biologists, etc., we are accustomed to apply the scientific knowledge of our professions to manage various public lands and their living organisms. We must now learn that these standard management practices can not be used in wilderness areas, because they are contrary to the concept of wilderness land. The care of wilderness areas is extremely complex and difficult. Any management practice, whether of the animal life, the plant life, the soil or the water, will alter the entire wilderness system and can produce results either undesirable or unpredictable. The tending of wilderness must be done with extreme care, and by expertly-trained ecologists. As a general principle, the policy

used must be 'Hands Off'. We recommend, therefore, that any management practices suggested must be subject to the approval of the Advisory Committee. Again we must reiterate our belief that the Committee should be a body of expertly-trained ecologists and conservation scientists, which not only recommends on the establishment of new wilderness areas, but, as well, regulates control of these areas once they are established.

Considering the SUBSECTIONS of SECTION 7:

We agree with SUBSECTION (d): 'measures and programs carried out for the preservation and protection of the wilderness areas and for any other purpose for which wilderness areas are established'.

We agree with SUBSECTION (c): 'measures and programs carried out for ecological and other scientific research that does not involve any physical disturbance of the area'.

We do not agree with SUBSECTION (a): 'measures and programs carried out for the preservation of plant and animal life indigenous to the wilderness area'. No manipulative practices should be used in wilderness areas, whether to control the numbers of animal populations, the diseases or predators of animal populations, or the diseases and predators of plant life.

We do not agree with SUBSECTION (b): 'measures and programs carried out for the maintenance of stable watershed conditions'. The wording of this subsection is too vague, and could be interpreted so as to permit practices completely contrary to

the wilderness concept. The 'maintenance of stable watershed conditions' could include, for example, the construction of dams, the building of levees and dikes along creeks and rivers, the bulldozing of stream channels to regulate the flow: all of which would be destructive to the wilderness area.

We would therefore recommend the deletion of SUBSECTION (a) and SUBSECTION (b).

SECTION 8 : The disposition of public lands.

This section is a fundamental weakness in the Act. Here the Act states, in effect, that while no further development will be permitted in a wilderness area once it has been set up, any interests already agreed to by the Crown, or in effect before the wilderness area was set up, will have precedence over the wilderness principle. In view of the necessity of establishing true wilderness areas, it is of paramount importance that provision should be made for repurchase or compensation for any estate or interest in public lands in wilderness areas. Wilderness areas must be inviolate as to their minerals, their forests, or any other part of their land: if they are not, we are simply paying lip-service to a worthy ideal.

SECTION 9 : Construction of certain utilities in a wilderness area prohibited.

SUBSECTION (1): states that 'no Minister of the Crown... shall grant any permission...to expropriate any estate or interest in land in a wilderness area'. We recommend that this section should be expanded so as to end the practice of one department - the Department of Mines - having over-riding

regulatory powers over the jurisdiction of other departments. Indeed, the Wilderness Act should amend the relevant section of the Mines and Minerals Act which gives that department such powers. If this is not done, there is little meaning to the whole of the Wilderness Act, since the major substantial threat to wilderness areas comes from mineral exploration and extraction.

SUBSECTION (2): permission to construct pipelines in wilderness areas.

The construction of pipelines is extremely damaging to the environment: it disturbs the soil, subjects it to erosion, disrupts groundwater, destroys the vegetation, and disrupts the animal life. The construction of pipelines through wilderness areas can not be accepted. We recommend deletion of this subsection. If the wilderness concept is to be followed, in any case, there would be no need for pipelines to transmit minerals, gas, water or oil, since none would be permitted to be recovered from such an area.

SECTION 11 : Prohibited use of wilderness areas.

SUBSECTION (1): acts not permitted in wilderness areas.

In addition to the items listed under this subsection, we recommend the inclusion of the following:

- ✓ a) no person shall carry out agricultural cultivation, cropping, hay mowing, or grazing of domestic livestock in a wilderness area.

- b) no person shall hunt or trap animals or net fish in a wilderness area.
- c) no person shall carry out logging or tree-cutting in a wilderness area, this to include the cutting of Christmas trees, logs, poles, saw logs, and pulp timber.
- d) no person shall gather or dig plants or plant materials, rocks, minerals or fossil materials from wilderness areas, except as permitted under Section 7 (d).

SUBSECTION (2) : acts permitted in wilderness areas.

First, we recommend addition of one extra clause to this subsection, as follows:

Overnight camping is permitted in a wilderness area, using simple camping facilities, subject to Sections 11 (1), and 12.

We accept Paragraph i : acts for the prevention or extinguishing of forest fires, and Paragraph iii : acts for emergencies involving the health or safety of persons.

We cannot accept Paragraphs ii and iv : 'the use of any means of transportation or any equipment and the doing of any act in connection with the prevention of damage to natural resources or property'. The use of 'any' is far too permissive: it would allow any activity for the maintenance of, for example, pipelines, mineral operations etc. It must be obvious that this section is directly contrary to the wilderness principle. These sections of the act must be made much more restrictive. Furthermore, we recommend that all the activities regulated by these subsections must be made subject to the approval of

the Advisory Committee, as discussed above under Sections 5 and 7.

SECTION 12 : penalties for damage, etc. to a wilderness area. These punitive sections are totally inadequate in the light of present day monetary values. In the case of corporations, such minor penalties could almost be considered a license to disregard the intent of this Act. A penalty of between \$ 10,000 and \$ 50,000 for third offences of corporations is absurdly low, in terms of the profits on the materials such corporations extract from the land. We recommend the insertion of a clause making the penalty for offending corporations include, in addition, the cost of the reparation of the destruction, damage, or pollution of the wilderness area, and that this penalty be payable at any period as the damage becomes evident.

Bill 106, as it now stands, is an Act almost without teeth in it. We cannot have an Act which makes only a pretence of serving a worthwhile and far-sighted purpose. We dare not express the noble intentions of Section 4:

Wilderness areas are to be established for the purpose of preserving their natural beauty and wilderness character and protecting them from impairment, settlement, and industrial development, and thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations

and follow it with innumerable clauses which blatantly contradict the very things we claim that we are setting out to do. The Act must be tightened, so that it will actually serve the purpose for which it was ostensibly intended. We must not fool ourselves or the people of Alberta with the semblance of a Wilderness Act which, in fact, does not protect wilderness.

Respectfully, for your serious consideration.

The Calgary Field Naturalists' Society
P.O. Box 981
Calgary 2, Alberta.

ADDENDUM

COMMENTS ON THE PROHIBITION OF BIOLOGICAL MANAGEMENT PRACTICES IN WILDERNESS AREAS

If wilderness is to be truly "wild land" uninfluenced by human activity, then man's management practices can not be utilised in wilderness areas. Our management practices are approximate, make-shift measures, which require successive steps to re-adjust the balance for which we are striving. The implementation of one management practice requires further practices to correct it, and to offset its effects on the other parts of the ecosystem.

1. Fishing - Lakes and streams should not be stocked with fish, nor should 'undesirable' fish species be removed. There must be careful control over public fishing. Fishing may be justified as a means of living off the land or catching one's supper, but not as a "sport" or for "fun". Indeed, because of heavy fishing pressure, and the practice of stocking lakes, etc., it has become necessary to reconsider the whole idea of fishing in lands reserved for wilderness areas and national parks.

Darling & Eichhorn (1967) have some highly pertinent comments on fishing in the U.S. National Parks:

"The privilege to fish with a rod is the almost inalienable right of every American; but again we are up against what was once a perfectly sensible decision being carried forward into a period and circumstances entirely different.... Fishing, surely, is one of those outworn privileges in a national park of the later 20th century, the more so as so many impoundments of water have been made in many parts of the United States and where fishing is properly encouraged."

2. Hunting - Hunting should not be carried on in wilderness areas, nor the culling of big game populations; because with both of these activities man is exerting a major influence on the wilderness area. The rationale for the hunting and culling of big game populations is that these practices are

necessary to prevent explosion of the animal populations. Ecologists know that this is inaccurate: neither hunting nor culling is effective in maintaining stable animal populations, on the contrary these practices can act as a stimulation for increasing population growth. Ecologically, the only means of maintaining stable game populations is with a balanced number of natural predators. Thus, in wilderness areas the predators must be favoured so as to maintain this balance among the animal populations.

Examples of this are given by Darling & Eichhorn (1967). In Isle Royale National Park with an area of 210 square miles, a population of 600 moose live in balance with twenty wolves. By way of contrast, in Yellowstone National Park where hunting has been considered as a means for controlling the elk populations, it is estimated that to kill 5,000 elk it would take 18,000 hunters who would also kill 196 illegal moose, 410 illegal elk, 17 men, as well as an undetermined number of bears, coyotes, bighorn sheep, antelope, bison, mule deer, and horses; (Darling & Eichhorn, 1967).

3. Fire Control - Lightning fires are unquestionably a natural environmental factor. Logically, if wilderness areas are to be uninfluenced by human activity, lightning fires should not be controlled by man. But the severe destructiveness of fire - of the forest, the under vegetation, the upper soil horizons, and the animal life - requires that fires must be controlled by man. I believe then that fire control is one management activity permitted in wilderness areas. A further argument used against fire control is that ecological succession results in forests composed of only a few climax tree species, the successional tree species will be eliminated, the ecological diversity will be lost, and with further time the climax forests will become over-mature, decadent, diseased, and unsightly dead-fall. And

thus the "rejuvenating" influence of fire is required to avoid this. Such reasoning is ecologically incorrect. Ecological succession after one, two or three centuries will indeed result in predominantly climax spruce - fir stands, in this province. However, there is always a small amount of the successional tree species (e.g. pine, poplar, birch, etc.) scattered through natural climax stands. Moreover, disturbed habitats are always in existence (for example avalanche slopes, streamside flood areas, colluvial slide areas, etc.) which support small stands of the successional tree species. Thus successional forest stands continue to exist, and ecological diversity is maintained, even when fire is eliminated. The climax tree species of climax forests are all-aged, having a continuous age-range from the oldest individuals down to one-year old seedlings. As a climax forest becomes old, and reaches the biological life-span of the trees, the forest goes through a natural ecological replacement process. The old trees of the stand, individually, one by one, die out, fall over, and their space on the forest floor and in the canopy is filled by the young regenerating trees of the stand. This ecological replacement process is on an individual tree basis; thus never does an entire stand become decadent and fall down. In this way climax forests renew and replace themselves by natural ecological processes, and no external factors such as fire disturbance or human manipulation is required to perpetuate climax stands.

Skyline Trail Hikers
of the Canadian Rockies,
July 22, 1970.

National & Provincial Parks,
Association of Canada,
Calgary-Banff Chapter,
Box 608,
CALGARY.

The above Association is very interested in
Bill 106 preserving and protecting wilderness areas from
industrial exploitation and abuse by unappreciative
individuals. We favor Bill 106.

Yours truly,

M. S. Lore,
Chairman,
Executive Committee.

Miss Mary G. Lore,
1621 - 4th St. N.W.,
CALGARY, Alberta.

July 22, 1970.

National Parks (& Prov.)
Association of Canada,
Calgary, Banff Chapter,
P.O. Box 608, Sub. P.O.91,
CALGARY 44, Alberta.

Gentlemen:

As I will be at the Skyline Hikers Annual
Camp at Lake O'Hara on July 29, I would like to take
this opportunity to say I favor legislation protecting
Wilderness areas "from commercialism and pollution by
industry and uneducated and unappreciative people". As
an individual I favour Bill 106.

Sincerely,

Mary S. Lore

August 5, 1970

/3-4/ Regions of particular scenic interest or especially suited for development of tourism and recreation should be so designated ("provincial scenic parks"); mineral exploration and exploitation should be allowed, but only with special restrictions on methods used: heavy equipment should be restricted and work crews should be followed up by clean-up crews to restore top soil and vegetation. Use of motor vehicles (trail bikes, sno-mobiles, etc.) should be restricted or relegated to special areas.

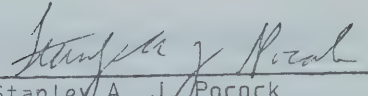
True wilderness areas, in which the original flora and fauna remains inviolate, must be preserved as a self-perpetuating natural resource, the value of which will keep appreciating each year. Sale of mineral rights and royalties on production of mineral resources (including fossil fuels) are non-renewable sources of income, and at one time or another the economy will have to do without. The amount rendered untouchable due to its location within wilderness areas is only a fraction of the total production, and its loss should not cause great hardship. Ruthless complete exploitation of the mineral resources at any cost in deterioration of the environment would be incompetent management by our elected government, no matter how many dollars it would bring into the provincial coffers. The population in general is willing to pay a reasonable price for keeping air breathable, water drinkable, and land liveable; those who have a selfish attitude or voice opinion not based on careful reflection should not be able to sway the government of the people. The elected government also has an important task in originating and coordinating monitoring programs and research dealing with pollution and ecology, and in educating the public in a non-partisan manner about the purposes and implications of government programs (press releases, public meetings, etc.)

Yours sincerely,


Jan Jansonius

Dr. J. Jansonius
11 Stanley Place S. W.
Calgary 6, Alberta

Dr. S. A. J. Pocock
82 Snowden Crescent S. W.
Calgary, Alberta


Stanley A. J. Pocock

38
1215 Riverdale Avenue
Calgary 6, Alberta
July 30, 1970

Dr. V. A. Wood
Deputy Minister
Department of Lands and Forests
Agriculture Building
Edmonton 6, Alberta

Dear Sir:

I am writing to you in lieu of presenting a brief to your pannel last night at Viscount Bennett High School having until last night been unable to obtain a copy of Bill 106.

I am in general agreement with the principals behind the briefs presented last night which can be briefly summarised as follows:

- i. The bill must be effective, no "ifs", "ands", "buts", and "maybes".
- ii. The setting up of and withdrawal from wilderness areas must only be done through the legislature; no orders in council please.
- iii. Management should be handled by apolitical experts.
- iv. Penalties for infringement of the new act should be based on a percentage of the net pretax income of the offender plus full restitution.
- v. The new bill must pre-empt all previous legislation.
- vi. Wilderness areas should be as free as possible of all artifacts, should consider all types of Alberta ecology and should be broken down into recreational and preservatory zones or types; no size definition need be included, e.g. 5 acres on the south bank of the Elbow within the city of Calgary with an original prairie flora could (and should) be included in a "preservatory" type.

Dr. V. A. Wood

July 30, 1970

There were a few contentious points in the briefs presented and I will try to clarify my stand concerning them, i. e.:

Firstly, should hunting be allowed or not? In my opinion, yes, under suitable management because Homo sapiens as a hunter is an authentic member of a wilderness fauna. Proper management should be considered to counter the very superior nature of his present hunting weapons. Using the same argument, dogs and horses should be allowed. Further, if fishing is allowed, why not hunting?

Secondly, the question of emergencies and fire damage. These are natural phenomena and should basically not be tampered with unless the damage or potential damage appears to be extreme. It is well established that the Parkland ecology has moved considerably south since man started to control prairie fires. Such changes of environment must be considered when the individual wilderness areas are defined (if ever!) and perhaps each area should be defined in terms of the ecology to be preserved.

In general terms, the extractive industries came under heavy fire as did pulp and paper; agriculture and cattle ranching were less criticised and yet they are the prime destroyers of wilderness and as such should be totally excluded from wilderness areas.

Similarly, there was emphasis placed on mountain, foothill and timber lands with little said concerning prairie and parkland; these latter two should also be preserved. Some consideration should be given to the access of wilderness to population centres; Wood Buffalo Park is hardly accessible to the average Calgarian, however, 640 Ac. at the confluence of the Bow and Highwood rivers would be. Also, size is not a function of distance, but of time, thus one mile of footpath crossed at 3 m.p.h. is worth 20 miles of road crossed at 60 m.p.h.

Hoping you will give this letter due consideration, I remain
yours faithfully,

A handwritten signature in dark ink, appearing to read "J.F.S. Anderson". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

J. F. S. Anderson

JFSA /ks

A BRIEF PRESENTED TO THE GOVERNMENT OF
ALBERTA
ON
THE PROPOSED WILDERNESS ACT
BILL 106

by
Vicky Ormstrup,
Calgary, Alberta
August, 1970

Alberta gains a great deal of its distinctive character from that which it is rapidly losing--its wilderness areas. These are areas where man is a visitor but no more; where the environment and its inhabitants have not yet been violated by man in his greed for that which can be measured in finite economic terms, but cannot be gauged in terms of the infinite renewal of self afforded by the experience of untouched natural beauty. To those who can imagine the quality of life in a land without wilderness there is no doubt as to the need for legislation to ensure that the heritage so easily taken for granted by many Albertans today will be passed on to the following generations who must live in this province.

It was for the purpose of protecting these lands that Bill 106 was proposed, but careful scrutiny of the act is required in order to ensure that it has indeed been drafted in such a way as to effectively carry out this role; and it is unfortunate that upon examination the proposed Wilderness Act does not stand up to the test. In the briefs already presented at the public hearings in Lethbridge and Calgary, numerous suggestions have been made for alterations to the Act. Especially wise, in my opinion, were the recommendations put forth in the brief prepared by the Wilderness Association.

Definition of Wilderness is of special importance to this act. Its preservation would be difficult indeed if those striving for it were not in accord as to the meaning of the word. Paragraph 4, Section (2) of the Act as amended by

the Alberta Wilderness Association borrows an apt definition of Wilderness from the Wilderness Act made law in the United States in 1964. This definition makes reference to the natural untouched quality of the Wilderness and the opportunities it provides for solitude and simple recreation. It demands the establishment of a minimum size in order that the area may retain its wilderness character, and it makes implicit within itself the value of the wilderness in a scientific, an historic and an aesthetic sense.

Once we accept this definition of wilderness, we realize that, should we allow such clauses as those of Section 8 of the proposed Act to stand unaltered, as loopholes for the exploitation of these lands we are simply selling out the cultural interests which hinge on the wilderness experience to the economic interests which always seem to win anyway. How can a strip mine leave an area in its natural condition? How can a seismic line be anything but an aggravating scar on the face of the wilderness? How can one enjoy solitude with the intrusive sound, sight and smell of oil rigs interrupting a day's trek through the forest? The answer is of course that the wilderness ceases to exist when industry makes the scene. And with the wilderness disappear its inherent values--an undisturbed ecological situation where flora and fauna can be studied in their natural, living condition; geological features which retain their integrity rather than existing as isolated "points of interest"; and the history that can be read as a continuing story in the rocks and the soil and the vegetation that cover them. And so, if we see more in life than that which can be

assessed in dollars and cents, we must provide strong protection for that which will otherwise surely succumb to the stronger will of the economy and simply vanish never to be recovered.

But it is not from industry alone that the wilderness must be protected, but more simply from man himself, who in his unthinking way may easily destroy that which he has come to enjoy. The pursuit of pleasure, like the pursuit of money, often leads man to place his immediate satisfaction over his concern for the long-term effects of his actions upon his environment. Therefore, when determining those recreational uses which may be permitted in wilderness areas, it is necessary to keep in mind firstly the natural features of the area and the effect of the particular kind of recreation upon them and then the quality of the enjoyment man may find through recreation in such an area. For instance, with regard to the use of horses in certain wilderness areas one should consider primarily the serious damage done to some kinds of vegetation and secondly the incompatibility of trail riding with other types of simple recreation such as hiking. Bill 106 does not provide adequately for the effective implementation of management policy to handle such problems. From the beginning, an effort should be made to determine the assets of each area and from this a definition of objectives outlined as a guide to future management. Responsible and perceptive personnel are essential in order that proper judgements may be made to allow for the expanding use of wilderness areas for recreational purposes while at the same time ensuring that the area receive the required protection from environmental damage.

The public hearings held with regard to Bill 106 have proven to be a good ground for the exchange of opinions and information between the members of the government and the public. This practice should be continued but instead of once a year the hearings should be held at least twice a year as well as on occasions when there has been a proposal for some significant change in the amount of wilderness area. Withdrawal of lands should hopefully not be the cause of such change, but if it is, the public should have the opportunity to openly express their opinions on the matter.

But more important still than the mere expression of opinion by the public, is the reaction of those who bear the responsibility of acting upon this opinion; and it is hoped that both throughout the revision of the Bill and after the passage of the Bill, those men concerned will maintain a clear picture of the Alberta that the people of the province wish to preserve, and that their grandchildren and those who come after will still be able to experience the sense of wonder that comes only from the communion of man with nature.

5220 Bannerman Drive N.W.
Calgary 48, Alberta
August 10, 1970

Dr. V. A. Wood
Deputy Minister of Lands & Forests
Government of Alberta
Edmonton, Alberta

Dear Sir:

Re: Legislative Bill No. 106, an Act
Respecting Wilderness Areas

Please accept this as my personal Brief with respect to the captioned Bill.

I wish to thank Dr. Ross and yourself for presenting this Bill to the public for discussion and criticism, and for holding numerous public hearings throughout the province. I sincerely hope that the hearings and the request for public opinion on Bill #106 are not mere gestures to appease a few "minority" groups or individuals, but that the Government is genuinely sincere in enacting the recommendations put forward by the Alberta Wilderness Association and all the other conservation groups who advocate a strong Wilderness Act. Bill #106, as presented, is unsatisfactory to me for the following reasons, and I will proceed with my diagnosis and counter proposals:

Section 1: No Criticism.

Section 2: No Criticism.

Section 3: Subsection (1): All lands - "public" and "private" should be considered when establishing a Wilderness Area. Also, any schedule defining boundaries of Wilderness Areas must be promulgated by the Legislature and NOT by the Lieutenant-Governor-in-Council.

Section 4: This section is entirely unsatisfactory, as it does not define a Wilderness Area. For an acceptable definition of a "Wilderness Area" please refer to the definition of a "Wilderness Area" as defined in the brief submitted by the Alberta Wilderness Association in Calgary, on July 29, 1970.

Section 5: Subsection (1): Unsatisfactory ! The Lieutenant-Governor-in-Council SHALL establish (not MAY establish, as printed) a committee etc, consisting of SEVEN (not five) members, and shall designate one of the members as Chairman. The members of the Advisory Committee MUST NOT be civil servants and must be chosen carefully from persons outside of government influence. This committee should consist of the following:

- 2 Doctorates in Biology - preferable University professors;
- 1 Professional Forester;
- 4 Persons with interest in and considerable knowledge of environment, pollution and conservation.

The Advisory Committee must be vested with enough power to communicate directly with the Minister himself, and to the Legislature, if the Minister is not receptive to recommendations.

Section 5 Subsection (c): This subsection is unsatisfactory, as the withdrawal of lands from a designated Wilderness Area must ONLY take place on the Floor of the Legislature by an amendment of the Act. This will give the voters an opportunity to learn of the proposed changes, and a chance to voice their opposition or approval.

Section 6: Paragraph 1 should make it mandatory that public hearings be held throughout the province whenever a change of the Act is contemplated.

Subsection 1(b): A withdrawal of lands from a designated Wilderness Area should not be made possible, and recognition of this possibility, as outlined under Section 6, Subsection 1(b) is inconceivable.

Section 7: This section, as written, is very ambiguous and would appear to give the Minister a free hand in a Wilderness Area.

Subsection (a): A true Wilderness Area, as defined in the Brief submitted by the Alberta Wilderness Association, does not require plant or animal management programs. Nature takes care of her own in an area unmolested by man.

Subsection (b): A true Wilderness Area has stable watershed conditions, and only physical interference by man will change this. Any Wilderness Area MUST be upstream from any dams or water conservation programs. Otherwise, any water flowing through it will be severely affected by artificial drainage controls.

Subsection (d): If hunting is legal in a Wilderness Area, then it seems apparent that game management programs must be maintained by the Department of Fish and Wildlife.

Section 8: Unsatisfactory as written, and should be revised as follows:

(a) No disposition or expropriation shall be made by or on behalf of the Crown, of any estate or interest in public lands in a Wilderness Area by any Provincial Act.

(b) Where there has been any previous disposition of any estate or interest in public lands, or where there are private lands in a Wilderness Area, the Advisory Committee on Wilderness Areas shall expropriate these estates or interests in public lands or in the private lands.

(c) Where estates or interests in public or private lands are expropriated under Subsection (b), the person or persons who are subject to such expropriation shall be entitled to compensation. Such compensation shall be determined by a Hearing before the Advisory Committee on Wilderness Areas.

Section 9: Unsatisfactory! If Section 8 is properly written, then there is no need for Section 9. Again, I reiterate that the exploration for and the development of oil, gas, minerals, pulp and lumbering cannot be tolerated in a Wilderness Area.

Section 10: No criticism.

Section 11: No Criticism, to Subsection 1(a).

Subsection 1(b): This section, as written, could become very awkward and impossible to enforce. Rather than stipulate the activities that can be carried on in a Wilderness Area, list the activities that cannot be carried on in a Wilderness Area - e.g. hunting, etc.

Subsection 1(c): This subsection should also provide for a minimum ceiling for all flights over a Wilderness Area (except emergencies). This would eliminate the harassment of game by aeroplanes and helicopters.

Subsection 1(d): No criticism.

In addition to the above Subsections, another Subsection (e) should be added which would stipulate that cattle and livestock cannot be pastured or allowed to roam free in a Wilderness Area. In other words "No grazing permits for livestock shall be issued in a Wilderness Area."

An additional clause should be inserted under a new subsection (f), to read as follows: "The hunting, killing, or trapping of game predators and fur-bearing animals by INDIANS in a Wilderness Area is illegal, except during the regular hunting season, as stipulated by the Game Act." This would allow for sound game management in a Wilderness Area, providing that hunting was deemed legal under Section 11, Subsection 1(b).

Subsection 2(a): This is unnecessary, if Section 7 is properly written.

Subsection 2(b)(iv): Again, this is unnecessary if Section 8 is properly written.

Subsection 3: The fines proposed for violation of Subsection 1 appear too lenient. A minimum fine of \$200.00 and a maximum fine of \$1,000.00 would act as a stronger deterrent to potential violators.

Section 12: Again, the penalties for any violators of the Act are too lenient.

Subsection (a): Minimum fine - \$200.00
Maximum fine - \$1,000.00 or 60 days imprisonment.

Subsection (b): Minimum fine - \$500.00
Maximum fine - \$5,000.00 or 120 days imprisonment.

Subsection (c)(i): Minimum 3 months imprisonment. (Max. 6 Mos.)
(ii): Minimum fine - \$25,000.00
Maximum fine - \$75,000.00

In addition to the fines levied for the offences under Section 12, the person or persons committing these offences should be made financially responsible for the restitution of all damages.

Section 13: No Criticism.Section 14: No Criticism.

August 10, 1970

It is commonly assumed that only the mountains and foothills constitute Wilderness Areas, and that prairies, parklands, and northern bushlands do not qualify. It would be a wise move if the Government of Alberta would establish a "Prairie Wilderness" in the area now occupied by the Suffield Military range in southeastern Alberta, whenever the Federal Government relinquishes control of these lands.

I would also request that any and all bids received by the Government for Petroleum and Natural Gas Reservations at the August 18, 1970 sale be rejected. Many of these lands are candidates for prime Wilderness Areas and have been requested for these purposes by the Alberta Wilderness Association. It appears that the Department of Mines and Minerals is trying desperately and quickly to manipulate all available Crown lands into the hands of Industry before a Wilderness Act can be passed.

In closing, I would like to emphasize again the urgency of establishing and maintaining areas of prestige wilderness, which cannot be tampered with under any circumstances by the Department of Mines and Minerals.

If the present Government chooses to ignore the wishes of the public with regard to Bill 106 and related matters, it should also closely weigh its chances of victory in the next Provincial election.

Yours sincerely,



O. A. Jansen

OAJ:jk

P.O. Box 207
Claresholm, Alberta
August 10, 1970

Minister of Lands & Forests
Government of the Province of Alberta
Natural Resources Building
109th Street & 99th Avenue
EDMONTON, Alberta

Dear Sir:

RE: Bill 106 "An Act Respecting Wilderness Areas".

The concept of a Wilderness Area as set out in clause 4 of the above Bill is excellent and speaks well for your Government's present consign for the quality of life in our society.

However, I greatly fear that the laudable intentions expressed in clause 4 will be overridden and trampled by economic arguments which will be invariably advanced by industrialists and engineers whose concept of a wilderness is an area which has not yet felt the beneficial effects of "civilization".

To point out just one seemingly innocent provision in the Bill which may have far reaching consequences; clause 7 will enable programs to be carried out in a wilderness area "for the maintenance of stable water shed conditions". Under the guise of flood control, vast areas of the North American continent have already been ecologically altered, invariably for the worse.

A wilderness area should be physically inviolatable, and this should be the governing principal in the Bill. With respect, I would urge that clauses 7 and 9 of the Bill be redrawn with this principal in mind.

Yours truly,



D. J. Welbourn

DJW/mh

cc: Office of the Premier of Alberta

Box 3714, Postal Station B
Calgary 41, Alberta
July 29, 1970

Dr. Donovan Ross
Minister of Lands and Forests
Government of the Province of Alberta
Edmonton, Alberta

Dear Dr. Ross:

Re: Bill 106 - An Act Respecting Wilderness Areas

We wish to express our whole-hearted support for the passage of Bill 106. We want wilderness areas and we want them portected by tough laws. We would, hoever, like to see mineral development in the wilderness areas definitely prevented and make public hearings mandatory on wilderness proposals, particularly in regard to withdrawal of land from an existing wilderness area. These points aside, we are behind your Bill 106 all the way.

Yours very truly,

Mr. & Mrs. I. C. Jensen
Mr. & Mrs. R. P. Johnson.

PROPOSED WILDERNESS AREAS ACT

BRIEFS PRESENTED AT

RED DEER

JULY 30, 1970

A BRIEF

TO: THE GOVERNMENT OF THE PROVINCE OF ALBERTA

DEPARTMENT OF LANDS & FORESTS

DR. J. DONOVAN KCSS, MINISTER

PREAMBLE:

The Minister of Lands and Forests is to be commended for bringing forward proposed legislation to establish wilderness areas :for the purpose of preserving their natural beauty and wilderness character and protecting them from impairment, settlement and industrial development, and thereby maintaining them unchanged by man for the benefit and enjoyment of present and future generations.:

The 410 members of The Lacombe Fish and Game Association earnestly believe, however, that Bill 106 cannot ensure the attainment of it's stated purpose.

Our membership has particular concerns about the following sections of The Bill:

SECTION 3 - SUBSECTION 1

This section empowers the Lieutenant Governor in Council to promulgate a schedule of public lands to be established as wilderness areas.

Our contention is that the schedule should be brought before the Legislature for debate and then promulgated by the Legislature.

SECTION 4

The desirable intent of this section is rendered impotent by the lack of proper definition of "wilderness area" and lacks thorough statement of the purpose of wilderness.

SECTION 5 - SUBSECTION 5 (c)

We submit that withdrawal of an area from designation as wilderness should be done by an Act of the Legislature amending The Act Respecting Wilderness Areas.

SECTION 6

This section should provide for definite hearings in various parts of the province. Subsection 1 (b) should not recognize the possibility of withdrawal of any lands from wilderness designation without full debate in the Legislature.

A BRIEF (Cont'd.)

TO: THE GOVERNMENT OF THE PROVINCE OF ALBERTA

DEPARTMENT OF LANDS & FORESTS

DR. J. DONOVAN ROSS, MINISTER

Page 2

SECTION 7

This section is ambiguous. It requires further definition. For example, does "maintenance stable watershed conditions" include the building of dams?

SECTION 8

It appears to us that this section provides a loophole for exploitative intrusion.

This Act should overrule any other Act which may permit right of entry, arbitration etc. in respect to wilderness areas.

Prior obligations should be dealt with by expropriation, compensation, re-purchase of leases permits, rights, free-holds, etc.

SECTION 11

We submit that travel in wilderness areas should be strictly limited to foot and horseback for the purpose of fishing or hunting under proper amangement.

SUBSECTION 1 (c)

Should provide for a minimum ceiling for all flights over wilderness areas, except for emergencies.

SUBSECTION 3

Should provide for restitution for any damage caused as well as penalties for contravention.

In addition to our observations with regard to specific sections of The Bill, we offer the following thoughts for consideration:

1. The management of fish and wildlife in wilderness areas should be in the hands of qualified biologists.
2. No person should be allowed to hunt or fish in wilderness areas unless it is shown to be beneficial by the Biologists' reports and approved by the Advisory Committee.
3. Entry by any person into a wilderness area should be to improve the wilderness through good management.

A BRIEF (Cont'd.)

TO: THE GOVERNMENT OF THE PROVINCE OF ALBERTA

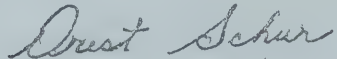
DEPARTMENT OF LANDS & FORESTS

DR. J. DONOVAN ROSS, MINISTER

Page 3

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4. It is our considered opinion that the only way to maintain a true wilderness area is to close the door on all industrial intrusion.
 5. The Lacombe Fish and Game Association is diametrically opposed to grazing cattle in wilderness areas.
 6. We submit that the proposed advisory committee should include at least one qualified biologist and one representative of The Alberta Fish and Game Association.

Respectfully submitted,



Orest S. Schur
President
Lacombe Fish & Game Association

On exploring Bill 106 there are a number of things I would like to take issue with.

First, that we must be quite aware that we have almost condemned ourselves, by the environment that we have created in the name of progress. Progress to me is only as fast as the slower will travel and I feel we're all caught up with progress in its' easiest form with no consideration for the future, or other persons that are willing and happy to travel at a much slower pace.

A wilderness area must be a clearly defined area or areas with some meaning; such as no roads, (except for fire protection), no exploitation for more or less private interests, no pollution of waters or air or natural flood areas, in other words, no dams. No exploratory work as these will be completely excluded from a wilderness area, no pipe lines, no logging or pulping, no mining.

As these areas are defined and passed by the Legislature, not the Lt. Governor in council, and that in no way could they be tempered with except by the Legislature with a clear majority vote. This way the people at large would be aware of any bids by whosoever might make claim to trespass.

Then I feel our Government by defining of wilderness areas will with all haste try and buy back any leases already granted, that are possible and to curtail any further exploration of that wilderness area.

Travel in a wilderness area would be controlled soley to foot or horse, traffic, no wheels or snow machines allowed. All bird and wildlife and their welfare be placed in the hands of our Government biologist, whom we employ full time. This way hunting and fishing could be controlled to the best possible level, still leaving it true wilderness. My contention being that if hunting were excluded from wilderness that hunting pressure from surrounding areas would undoubtedly drive too much game into these areas where by their numbers alone would suffer starvation and needless waste.

Also, I believe that higher level fringe areas should be very greatly controlled from grazing of cattle, as this area represents winter feeding grounds for alot of our wildlife, also the errosion of our only possible spawning beds for our fish is being washed away and silted beyond reclaiming.

On closing, I would like to say I feel that our Government will be alot more aware of our general feelings, now I feel confident that they will consider the future of the voters as well as the exploiters of our natural heritage.

To a cleaner and brighter future.

Respectfully submitted,

John G. Towle.

*John G. Towle
Parson*

Dennis Chevallier

(5)

ROCKY MOUNTAIN HOUSE
CHAMBER OF COMMERCE

Brief submitted by the Rocky Mountain House Chamber of Commerce in regards to Bill 106.

We are in favour of such an act as bill 106 to protect our Wilderness Areas with the exception of the following sections:

- 4 We do not feel that this part of the bill is long enough nor does it describe in detail what a Wilderness Area is.
- 8 We do not agree with this section because we do not want people to develop these areas no matter if they received premission to do so before they became a Wilderness Area, and that those persons shall be entitled to compensation.
- 9 If section 8 was so changed section 9 would automatically be invalid.

14

BRIEF CONCERNING WILDERNESS AREAS

I am in favor of Wilderness Areas. I feel Bill 106 should be altered to give a lasting permanence to Wilderness Areas.

Wilderness Areas should be legally set down by an Act of the Legislature, rather than proclaimed by the Lieutenant Governor in Council.

Any existing entry permits such as timber berths or mineral exploration permits on existing designated Wilderness Areas should be cancelled. Naturally if our government has obtained money for these permits this should be returned to the purchaser and if necessary suitable restitution made for a fair settlement.

A single Government Agency should have control of Wilderness Areas acting on advice from an Advisory Committee. A majority or all of the members of this committee should be other than Government Employees. This committee should be made up of people with professions or sufficient knowledge to be in keeping with nature, such as ecologists, botanists, foresters etc. This committee should hold public hearings in at least two locations north and south, at least twice a year.

I would like to thank those people responsible for allowing this hearing to take place and to you gentlemen for your consideration.



Carl D.K. Ringness,
Box 1215,
Rocky Mountain House, Alberta.



(5)

BRIEF CONCERNING BILL 106

I wish to say that I am greatly in favor of the Wilderness Area(s) but not in the form as presented in Bill No. 106. I would like to see the said area(s) left in their natural state with no exploration, harvesting or developing of any mineral or other resources, the banning of all forms of mechanical transport and horses except for fire fighting and rescue.

When I moved in to this area I was distressed at the ruthless way it was being developed. I should like my children to see even a little piece of unspoiled country when they are grown up.

Cecil N Chandless ←

C.R. Chandless,
Rocky Mountain House, Alberta.

Jerry Sanderson

(6)

WHEREAS Bill 106, known as the Alberta Wilderness Act,
is to be established for the purpose of preserving natural
beauty and wilderness character and protect designated lands
from impairment, settlement and industrial development and
thereby remain unchanged for the benefit and enjoyment of
present and future generations.

AND WHEREAS a wilderness in contrast with those areas
where man and his own works dominate the landscape, is hereby
recognized as an area where the earth and its community of
life are relatively untrammelled by man, where man himself is a
visitor who does not remain.

AND WHEREAS an area of wilderness is further defined to mean
in the Act an area of relatively undeveloped Provincial land
retaining its primeval character and influence, without per-
manent improvements or human habitation, which is protected
and managed so as to preserve its natural conditions.

THEREFORE the Wilderness Act proposed by the Alberta
Government should be revised so as to prohibit development
and harvesting of natural resources in the said Wilderness
Area.

THEREFORE Section 8 of the proposed Act should be revised
to read that no disposition or expropriation shall be made by
or on behalf of the Crown of any estate or interest in public
lands in Wilderness Areas by any Provincial Act.

Where there has been any previous disposition of any estate
or interest in public lands or there are any private lands in
a Wilderness Area the Advisory Committee on Wilderness Areas
shall expropriate their estates or interests in public lands
or the private lands.

WILDERNESS ACT

A recent Washington State Supreme Court decision stated, "an unwritten contract between the dead, the living and the unborn requires that we leave the unborn something more than debts and depleted natural resources".

I personally endorse wholeheartedly this statement, as I also endorse the philosophy behind the Wilderness Act. I do not, however, subscribe to Bill 106 as it is now presented. My observations on Bill 106 are as follows:

Section 3 - Subsection 1

- (a) Lands to become Wilderness areas need not necessarily be "originally" public lands.
- (b) The schedule defining boundaries must be defined by the Legislature, not the Lieutenant Governor in Council.

Section 5 - Subsection 5

- (c) Alterations to the Wilderness area as defined, must take place on the floor of the Legislature, by amending the act.

Section 8

This section must be removed in its entirety or the whole concept of a Wilderness Area could be lost. It is quite conceivable that permits, leases, claims etc. have already been, or could be granted before this act is finally passed which must, unless the Acts are amended, be honored. If it is necessary to expropriate and buy back all the permits, leases and claims.

Section 9

Word Section 8 properly and this section can be deleted in its entirety.

Section 11 - Subsection 1

- (b) Too restrictive, in that it excludes some types of recreation (such as painting, photography, bird watching etc.)

Sec 11 Sub Sec 2

I suggest that correct management regulations, if followed, would make this section of the Act unnecessary. Establish a policy for Wilderness Areas - let management carry out the policy.

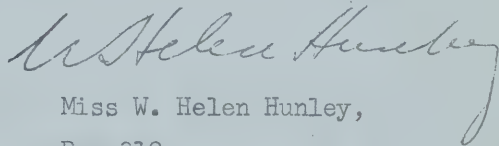
Subsection (3)

Amend to provide for restitution as well as penalties.

Section 12

Provide for restitution as well as for penalties.

I commend the Honorable Minister, Dr. Donovan Ross, for his action in presenting this Act to the Legislature, and for making it possible for the citizens of Alberta to comment on it.



Miss W. Helen Hunley,
Box 310,
Rocky Mtn. House, Alberta.

(8)

ORIGINAL FILED IN BILL 106 WILDERNESS ACT

As a resident of the Province of Alberta, I would like to commend the Minister of Lands and Forests for proposing the Act respecting Wilderness Areas, known as Bill 106, in an effort to protect and maintain certain areas of our Province in their primeval state as an important heritage for future generations.

The proposed Act does not safeguard any area as a true Wilderness, since it condones production operations in these areas.

Section 8 and Section 9 as now written allow for exploitation and devastation of supposedly protected areas. The Act must therefore state more rigidly its regulations to preserve these suggested areas.

We have all seen the unsightly and unhealthy result of man's infringement on Nature. In this Province so favored with beautiful scenery and wide open spaces, time is running short, and we need legislation to maintain our Wilderness Areas, untouched and untrammelled by machines.

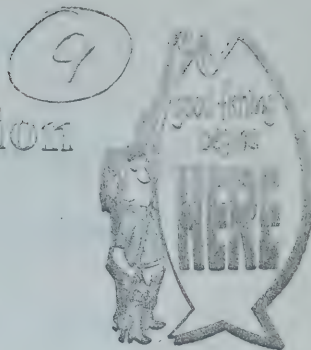
Marion McEwen ✓

Miss Marion McEwen,
Rocky Mtn. House, Alta.

RIMBEY FISH & GAME Association

P. O. BOX 634

RIMBEY, Alberta



Re: Any person who, without lawful justification or authority, destroys or damages or pollutes any land, water, plant life or animal life in a wilderness area is guilty of an offence and liable on summary conviction.

Due, in part, to what has happened in past pollution cases, we feel that the word pollution has become an ambiguous word and should become the focal point of much discussion on the part of well qualified ecologists and biologists. Their findings, once proper limitations have been set, should be declared conclusive in any further pollution cases. The present definition of pollution is too restrictive and does not cover circumstances that are, in fact, actual cases of spoilage of streams or lakes. A prime example is the silt pollution of the Shunda, until now a most productive fishing stream, now doomed by the installation of two culverts. The findings of engineers proved more important than the advice of supposedly well qualified biologists, a most tragic example of how little understood the word pollution has become and how little power our biologists have in enforcing protection for some of our trout streams.

We further feel that the work of biologists in this Province is being continually hampered by the meddling of a well meaning Department of Health and associated agencies. The findings of biologists should be considered as the work of properly qualified men, chosen for a specific role in preserving a Provincial wealth, and not a plaything in the hands of members of the Department of Health. The case of biologists being over-ruled by the Department of Sanitation in the Red Deer River case is notably one of the most classical example.

The biologists of this Province should, consequently, be given greater power in initiating court proceedings against any such offenders, with some reassurance that their findings will not be played down, when found convenient or expedient, by any one Government agency.



THERE HAS BEEN A GREAT MANY THINGS SAID TONIGHT ABOUT WILDERNESS AREAS BY MORE ABLE SPEAKERS THAN I AM HOWEVER I HAVE SOME VERY DEFINATE IDEAS ON THE SUBJECT. BASED ON ALMOST A HALF CENTURY OF OBSERVATION OF THE ALBERTA MOUNTAINS AND FOOT HILLS. MOST OF THE THINGS THAT I HAVE OBSERVED HAVE NOT BEEN GOOD PARTICULARLY IN THE LAST TWENTY YEARS AND MORE PARTICULARLY IN THE PAST TEN YEARS.

THE TIME HAS COME WHEN THE POLICIES OF THE PAST FEW YEARS MUST BE CHANGED WE CAN NOT GO ON SPENDING OUR NATURAL RESOURCES FOREVER THERE IS A BOTTOM TO EVERY BARRELL? WE ARE TOLD THERE IS A THIRTY YEAR SUPPLY OF GAS AND OIL IN SIGHT YET THE GOVERNMENT GOES ON SELLING THEM AT A FASTER AND FASTER RATE. OFTEN FOR VERY LITTLE. FOR PEANUTS YOU MIGHT SAY THIRTY YEARS IS A DAMN SHORT TIME IN THE LIFE OF A MAN LET ALONE IN THE LIFE OF A NATION. WE MUST GET AWAY FROM THE APPARENT POLICY OF HOLDING A DOLLAR SO CLOSE TO OUR FACE THAT WE CANT SEE TEN IN THE FUTURE PLUS THE FUTURE OF "THIS LAND OF GOOD LIVING" THAT WE HEAR SO MUCH ABOUT BY OUR ALBERTA GOVERNMENT BELIEVE ME IT IS FAST DISAPPEARING UNDER THE PRESENT POLICIES. 4 6 6

I THINK THAT THE ADVISORY COUNCIL SHOULD ~~SHOULD~~ HAVE POWER TO EXTEND THE SIZE OF THE WILDERNESS AREAS. ADVISE ON FISHING AND HUNTING AND ALL

RECREATIONAL ACTIVITIES BUT NOT TO CURTAIL THE SIZE OF THESE AREAS
ANY CURTAILMENT OF SILE OR INDUSTRIAL DEVELOPEMENT SHOULD NOT BE DONE
EXCEPT BY AN ACT OF THE LEGISLATURE AND THAT BY A TWO THIRD MAJORITY? A
NOT BY THE MINISTER OR AN ORDER IN COUNCIL.

SECTION II DOES NOT PROHIBIT THE GRAZING OF DOMESTIC STOCK IN MY

OPINION THIS IS THE MOST DAMAGING PRACTICE OF ALL. THE GRAZING OF DO-
MESTIC STOCK MUST BE PROHIBITED WITH THE EXCEPTION OF A HORSE OR HORSES
USED FOR RECREATIONAL PURPOSES AND ONLY WHILE IN USE. NOT TO BE LEFT IN
THE AREA BETWEEN TRIPS PERHAPS A CHARGE FOR EACH DAY WOULD CONTROL THIS .

I DO NOT LIKE SECTION 8 SUBSECTION 2 WHICH ALLOWS CERTAIN PRIVILEGES
THAT WERE COMMITTED PRIOR TO THIS ACT. I REALISE THAT WE MUST MAKE RESTIT-
UTION TO THESE PEOPLE FOR THEIR LOSS IT IS AN OBLIGATION OF HONOR, BUY
THEM OUT WE MAY NEED THIS GAS OIL AND COAL IN THE ~~NEXT~~ FUTURE.

THE AREA I AM GOING TO PROPOSE IS RATHER LARGE BUT I CAN'T SEE THE USE OF
OF SMALL ONES THEY ARE OF LITTLE VALUE AND OF NO USE AS A WATERSHED I FEEL
THAT THE GREATEST VALUE OF A WILDERNESS AREA IS IN THE WATERSHED THESE
THESE HIGH AREAS ARE OUR ONLY SUPPLY OF CLEAN WATER AND CLEAN WATER IS A
VALUABLE ASSET AND WILL BE OF MORE VALUE AS TIME GOES ON

THE BOUNDRIES OF THE WILD ARESS AREA THAT I PROPOSE WOULD START AT THE
JAMES PASS ON THE JAMES RIVER IN THE IN THE BOW RIVER TO GET RESERVE THERE
S.W. TO THE PARK BOUNDARY TAKING IN THE Y A HA TINDA RANCH THIS IS THE BEST
ELK AREA THAT I KNOW OF. THENCE A LONG HEIGHT OF LAND IN A N.W. DIRECTION
FROM JAMES PASS TO THE HEAD OF TIMBER CREEK. THENCE FOLLOW THE HEIGHT
OF LAND EAST SIDE OF TIMBER CREEK TO BEAVER LAKE THEN IN A NORTH WESTEALY
DIRECTION ALONG THE HEIGHT OF LAND TO SOUTH ARM RIVER NEAR MOUTH OF
HUMMING BIRD CREEK ~~THEN~~ THEN IN A NORTH WESTEALY DIRECTION ALONG THE
HEIGHT OF LAND ON EAST SIDE OF HUMMING BIRD AND ONION CREEKS TO A POINT
ON THE NORTH SASK RIVER NEAR WINDY POINT THEN ALONG THE SOUTH SIDE OF
SASK RIVER TO BOUNDARY OF SIFFLEUR WILDERNESS AREA. THIS MAY SEEM LIKE A
LARGE BOUNDARY BUT IF I HAD THE POWER I WOULD INCLUDE EVERYTHING WEST OF THE
THE TRUNK ROAD. THE AREA THAT I HAVE PROPOSED IS AN EXCELLENT W. B. SHED
ALSO AN EXCELLENT GAME COUNTRY CONTAINING ALL THE BIG GAME NATIVE TO WESTERN
ALBERTA AS WELL AS MANY SPECIES OF BIRDS? PLUS SOME EXCELLENT FISHING
THE SCENERY IS MAGNIFICENT IT IS COMPARATIVELY EASY TO TRAVEL ON FOOT OR
HORSE BACK. IT CONTAINS VERY LITTLE MERCHANTABLE TIMBER AND IS COMPARA-
TIVELY EASY OF ACCESS AT SEVERAL POINTS ON THE TRUNK ROAD.

IT IS AMAZING THAT ALBERTA HAS IN THE PAST PAID NO MORE THAN LIT

SERVICE TO THE VALUE OF WILDLIFE PRESERVATION OF THE WILDERNESS AREAS &
RELATIVE TO THE TOURIST INDUSTRY AND MOST IMPORTANT TO OUR OWN PLEASURE
WE HAVE BEEN SPENDING VITAL RESOURCES AS IF TO DAY WAS FOR EVER AND TO
MORROW WOULD NEVER COME.

AT LONG LAST WE HAVE A MINISTER OF LANDS AND WILDLIFE ^{Faunt} HON DONOVAN ROSS
WHO SEES THE FOLLY OF THE POLICIES OF THE PAST AND IS TRYING TO CORRECT
THEM BEFORE IT IS TOO LATE IT IS UP TO THE FISH AND GAME ASSOCIATION AND
EVERY OTHER ORGANIZATION WITH SIMILAR VIEWS TO DO EVERY THING IN THEIR
POWER TO HELP HIM HE IS WITH US, HE IS THE FIRST MINISTER THAT HAS EVER
GIVEN US A CHANCE TO PRESENT OUR VIEWS, BACK HIM UP WITH EVERYTHING YOU
HAVE.

SUBMITTED BY ERLE CARR, PAST PRESIDENT OF ALBERT FISH AND GAME ASSN.

Follow next to last paragraph

I don't think many of us realize that the Eastern slope of our Rocky Mountains are the most valuable real estate we own.

plus all the recreation values is the water, ninety percent of the water for our cities & towns and for irrigation comes from there.

We are irrigating over a million acres in Alberta plus the big project in Saskatchewan, and this is only a beginning then there is all the power that is generated.

To sum it up this water is the life blood of Western Canada. We better guard it well.

Dr. C. D. Husband

Dr. G. A. Hill

Dr. J. E. Logsdon

DENTAL SURGEONS

(11)

SUITE 110 METRO BLDG.
PHONE 346-2370

RED DEER, ALBERTA

July 30, 1970

J. Donovan Ross,
Minister of Lands and Forests,
Edmonton, Alberta

Dear Sir:

Re: Bill 106 An Act respecting Wilderness
Areas

In reference to section 1 of Bill 106;

The secret of section 1 is the words, "Modest Size,". What is modest size?

In reference to section 3, subsection (1) of Bill 106;

The Lt. Governor should not have the right to declare what areas are to be wilderness areas. This is complete dictatorial, dogmatic and doctrinaire and unequivocally unacceptable!

In reference to section 4 of Bill 106;

Wilderness areas must be protected in such a manner that human beings be allowed in these special areas only on foot. This means "NO" horses or other livestock can be allowed.

In reference to section 5, subsection (1) of Bill 106;

The chairmen should be elected by the Committee, and not appointed. The Committee should consist of one member appointed from the area north of Edmonton, one member from Edmonton, two members from the area between Edmonton and Calgary, one member from Calgary, and one member from the area south of Calgary.

In reference to section 5, subsection (2);

A majority of the members appointed shall be persons who are not employees of the government nor of the Petroleum, Chemical,

D. C. D. Husband

Dr. G. A. Hill

Dr. J. E. Logsdon

DENTAL SURGEONS

SUITE 110 METRO BLDG.
PHONE 346-2370

RED DEER, ALBERTA

-2-

Engineering, Mining, or related firms, or any other persons whom might be deemed to have a conflict of interest.

In reference to section 5 Subsection (5c) of Bill 106;

The Committee should not have the power to withdraw lands from existing wilderness areas, nor should the Minister. Only, by an amendment of the Act on the floor of the Legislature, should land areas be withdrawn from existing Wilderness Areas.

In reference to section 5 Subsection (6) of Bill 106:

The advisory Committee should answer only to and make recommendations only to the Minister as stated in section 5, subsection (5).

In reference to section 7, subsection (b) of Bill 106;

Where would the maintenance of stable watershed conditions take effect? Within the Wilderness area or just a dam in the Wilderness area to stabilize watershed conditions down stream and outside of the boundaries of the Wilderness areas? This must be clearly defined.

In reference to section 8 of Bill 106;

This section is completely unnecessary. The Government must make allowances to compensate for prior commitments, such as buying back old leases etc.

This could become extremely expensive, but most worthwhile projects are. Also, this section should be put into a form that the layman can readily understand, its present form leaves much to be desired.

Dr. C. D. Husband

Dr. G. A. Hill

Dr. J. E. Logsdon

DENTAL SURGEONS

SUITE 110 METRO BLDG.
PHONE 346-2370

RED DEER, ALBERTA

-3-

In reference to section 9 of bill 106;

If mineral rights have been established by parties prior to the Government establishment of the Wilderness Areas, it must be the duty of the Government to intervene and buy back any permits, rights etc., so there will be no construction of any utilities in any shape or form.

In reference to section 11, subsection (1a) of bill 106;

Travel in a Wilderness Area should be strictly on foot. No horses or other domestic live stock shall be allowed.

If horses are allowed, you are discriminating against those not having the use of horses.

A true Wilderness Area should be preserved for the True Wilderness Adventurer. A place where a person can get back to nature in its true form and where he will not be run down by horses.

In reference to section 11, subsection (1b) of bill 106;

Permit, or controlled hunting of wildlife must be allowed. If not allowed, a similar situation will prevail as exists in Jasper and Banff Parks. If hunting is not allowed, all you are doing is creating another Park. If it is indeed your intention in doing such, then get on with the establishment of a Wilderness Area, you must allow hunting or you will end up slaughtering animals in the Wilderness As you now do in our National Parks of Jasper and Banff.

Albertans are quite aware of the prosperity which exists in this Province at the present time. It is without question, the vast majority of this wealth has been the direct result of petroleum and the firms connected with such.

Land area opened 1/2

Dr. C. D. Husband

Dr. G. A. Hill

Dr. J. E. Logsdon

DENTAL SURGEONS

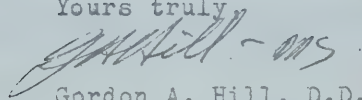
SUITE 110 METRO BLDG.
PHONE 346-2370

RED DEER, ALBERTA

-4-

Establishing Wilderness Areas in Alberta is not unreasonable. All that is needed is just a bit over one per cent (1%) of Alberta's total land area. Is not the Petroleum industry satisfied with the remaining 99%?

Yours truly,

A handwritten signature in cursive script, appearing to read "G. A. Hill", followed by a horizontal line and the letters "ms".

Gordon A. Hill, D.D.S.

No. 11

- Questions definition of "modest size"
- establish by statute and not O.C.
- no horses to be allowed; all travel by foot
- chairman of adv. committee should be elected by the committee
- should be geographic representative on the committee
- committee should have no representative from industry
- no withdrawals except by the legislature
- implies that no manipulation of watershed should be permitted
- subsisting grants & leases should be terminated and compensation paid
- travel only on foot
- hunting to be allowed
- suggests 1% of Alberta should be wilderness

6303 - 45 Avenue
Red Deer, Alberta
July 29, 1970

The Wilderness Hearing
Red Deer, Alberta

Gentlemen:

Please find herewith one short brief outlining my suggestions for an improved Wilderness Bill 106. As a College Professor of Geography, I have taken considerable care to acquaint myself with the Wilderness concept and as a native Albertan am more than a little concerned with the obvious shortcomings in the present form of Bill 106. However, because these are so obvious, let me concern myself with those less obvious issues that might not otherwise reach you.

Thanking you for the opportunity of this hearing, I remain



James A. Proudfoot
Chairman, Department of Geography
Red Deer College

An Act Respecting Wilderness Areas

A POSITION PAPER ON THE ABOVE ACT

The necessity of the above Bill becomes obvious when we recognize the great mistakes made in land use in other parts of the world, particularly the United States. These mistakes have generally arisen where legislators have succumbed to the will of exploitive corporations, desirous of short-term gains at the expense of the long-term public interest. For example, the coal fields of West Virginia and the lost shore line of the Oregon coast, where surface materials have been stripped for construction interests. However, here in Alberta, we too have been served unjustly by short-sighted government policy. For example, the strip mining of the Lake Wabamun region, the Metropolitan pollution of the North Saskatchewan River and the power boat curse of small secluded lakes, such as Eagle in the "west country", to name three widely separate examples. There are hundreds of examples of the folly of a generally well-meaning government and an illiterate public, which in combination have proven a dilemma to Alberta in recent years. Therefore, an adequate Wilderness Bill is long overdue.

Two terms, often treated synonymously, should first be considered: conservation and preservation.

Conservation is best considered as "the wise use of land in the best interests of the larger public."

Preservation is usually considered as "the non-use of land in the best interests of the larger public"; where non-use means no logging, no exploitation of any form, including trophy hunting for big game animals..

It is within the latter context that I believe the wilderness areas truly belong. In Alberta Regulation 554/65, The Public Lands Act, a wilderness areas is designated as follows:

"a tract of undeveloped land ... retaining its primeval character ... without permanent improvements or human habitation. Minimum size ... shall be

two days travel in the least dimension or one-hundred thousand acres. A wilderness ... is an area where man himself is a visitor, who does not remain. Hunting and fishing shall be permitted, subject to the Game Act ... and all mechanized transportation is strictly prohibited ...

Non-use then, is referent to limited use and no exploitive industrial uses, such as logging, strip mining, oil drilling, and further, no agricultural uses, such as commercial cattle grazing.

On examination of Bill 106, one is immediately shaken by the open contradictions to the original intent of the Regulation 554/65. For example, 7b. To stabilize a watershed, could mean to air drop soot to speed up the melt process or to build a dam for impoundment purposes. The open-endedness of such a statement as in 7b, is in the best interests of exploitation and not in the best interests of a wilderness-conscious public.

Another glaring example of naiveté or total ignorance, is found in 9(2). Having worked as an inspector of pipeline operations, I am more than a little aware of the surface damage that attends such operations, all in keeping with existing legislation. i.e. subsidence of the ditch, erosion, trash disposal and misuse of the right-of-way by government and all others. In addition, the service personnel are expected to use the right-of-way, causing continual pollution of various forms, not in keeping with the wilderness concept as in 554/65. In addition, what of the pipeline ruptures that are to be increasingly expected; increasingly because as with municipal water or gas lines, age causes deterioration.

In 11(3), penalties for contravention of 11(1) are far too lenient, and I would suggest a \$500.00 minimum figure. In addition, as usual the penalties are intended for infractions by individuals. Could not a suitable section be established where infractions by companies, or corporations would be levied fines at the minimum of \$5,000.00 for violations, plus seizure of

equipment in use at the time of the infraction. It is my understanding, based on personal experience, that where companies are concerned magistrates, and others are rather reluctant to take punitive action of any significance. For example, at the Colt Creek fire near Nordegg in the late spring of 1949, company personnel left the fire line, and fines were minimal; in the Swan Hills, pollution has gone unchecked and now minimal action; in the Northwest Territories, degradation of landscape by exploitive companies and little or nothing is being done by the Federal Government to remedy the situation.

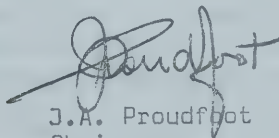
As an educator, it is my job to assist with the formal procedures associated with classroom teaching. As a college instructor, it is my privilege to teach youths and adults alike, the history of exploration, exploitation and conservation and other aspects of an ongoing society, such as Canada. However, it becomes more than a little embarrassing when examples of misuses of land can be taken so near at hand, while nevertheless pedologically sound. Further, it is embarrassing, disheartening and downright annoying, when men prominent in conservation in the United States, such as Richard M. Highsmith, Jr. have told me that "we have made these mistakes, but you will also make them." Is this necessarily the price of progress?

It then becomes obvious that once this Bill is passed, that the provisions of it must be well advertised; in short educate us! Further, prepare adequate maps and other materials necessary for the appropriate use of the wilderness and let us not fall heir to the very small scale maps, where surface features are obliterated. Then educate the administrators in the provisions of the Bill and in the implications of it. Ignorance is not only a public dilemma.

We of Central Alberta are no less proud of our wilderness potential than other portions of the Province. However, when we view the disgraces of exploration west of Caroline that have occurred in the past year and are occurring presently,

we are greatly disheartened. The rampant stupidity of exploitation is a carefully planned process that can only be accommodated by ignorant legislation and ignorant administration. Many of us have attempted and are attempting to assist with vital issues of environmental concern in this province. This hearing is an example that these efforts have not gone entirely unheard. However, I personally feel that many in the exploitive departments of government, as in Mines and Minerals, are paying only lip service to the past experiences of disgrace in the United States and Canada. In the best interests of us all, please stop immediately all exploitation of present and proposed Wilderness Areas until the Bill 106 has been strengthened and passed as the law of the Province of Alberta.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'J.A. Proudfoot', written in a cursive style.

J.A. Proudfoot
Chairman
Department of Geography
Red Deer College

JAP:els

200 210

Fish and Game Association

7-15

EST. 1934

INC. 1947

ALDER FLATS, ALBERTA

R. Scammell
Red Deer, Alta

This Association submits the following observations and comments concerning the "An Act respecting Wilderness Areas, Bill 106".

Paragraph 5 - Advisory Committee on Wilderness Areas, should specify as to who and qualifications of the members of the Committee who are not employees of the Government.

✓ Paragraph 5 (6) Reference to the Environment Conservation Authority as presently constituted would appear to be ~~unnecessary~~, unnecessary, time-consuming and redundant.

Paragraph 6 (a) (b) should specify that the recommendations of the Committee be submitted to the Legislature of the Province for action within a reasonable period of time.

In General, it seems unwise to establish Wilderness Areas abutting or co-terminous with the present National Parks; that such Areas be established on Crown lands as near as possible to the density of the population of the Province to be of use conveniently to most of the people; that these areas should not comprise more than 25,000 acres in regular or irregular blocks.

And pointedly there should be no industrial, no hunting, no settlement and no agriculture usages permitted within Wilderness areas if there is to be compliance with the commonly accepted views of what constitutes a true wilderness or areas in their natural state.

c.c.
Borden Park, Edmonton

Jan
J. O. [unclear]
Sec. Gen.

The Wild Journal 11

C₁₄

In behalf of the Iron Creek Fish & Game Association we would like to present this brief on the proposed "Wilderness Act."

- (1) Now the establishing of a Wilderness Areas is for the purpose of preserving certain designated sections of the country and leaving the land in it's natural state.
Once a Wilderness area has been established no portion of this area must be withdrawn.
 - (2) There should be no exploration of anykind whether it's oil, timber or any other resources that would harm the natural state of this area.
 - (3) Any leases that are in effect at present in these designated areas must be terminated within six months and no special permits or leases are to be issued to any company, cooperation or individuals.
 - (4) The Mineral rights must be held by the Crown and not Leased.
 - (5) Access to these areas should be on foot, horseback, horse drawn vehicles or bicycles. No motor vehicles of anykind allowed.
 - (6) Fishing on the lakes in these areas to be permitted but no boats equipped with motors allowed.
 - (7) Hunting should be permitted only when game becomes plentiful, and then the season be open to resident hunters only.
 - (8) There must be no abuse by hunters, fishermen or hikers to distroying trees, birds, animals, polluting the water and the spreading of ~~garin~~ garbage.
With a stiff fine imposed on thoes that violate these rights.
 - (9) Forest fires in these areas must be attended to by the Forestry Dept. and arial water bombers used where possible.
 - (10) Those acting on the advisory committee must be conservationists and not Government or coope^rte personal.
- we must protect these areas and our wildlife for future generations.

V. A. Wood Esq.
Deputy Minister of Lands & Forests
The Province of Alberta.

Whereas the public lands, forests, minerals, streams, rivers,
fish and wildlife in this Province belong to the public.

And whereas there is a recognizable limit to the forementioned.

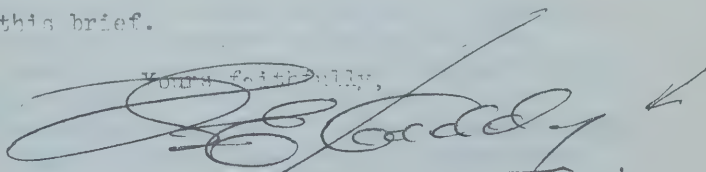
And whereas the loyal ministers have a duty to protect the
public interests in these, to the extent that it is agreed
that certain areas shall be designated "Wilderness Areas"

And whereas the loyal ministers have the well being of the
forementioned in their hands and power for the duration of
their office only, but in trust only for the benefit of the
Public.

Can you please agree that an elementary definition of "Wilderness
Area" is - an area allowed to remain in perpetuity in its
natural wild state and condition to the exclusion of all
private and commercial development.

I have the honour to submit this brief.

Yours faithfully,



Ivor M. V. Caddy
4325 - 35th Street
Red Deer.

A Member of the general
public, by far the largest
segment of the population
of the Province of Alberta.



Alberta Fish and Game Association

3851 - Eastwood Close,
Red Deer, Alberta.

August 7, 1970.

Dr. V. A. Wood,
Deputy Minister,
Department of Lands and Forests,
Room 407,
Natural Resources Building,
109 Street,
Edmonton, Alberta.

Dear Dr. Wood:

Re: Alberta Fish and Game Association - Red Deer
Submission to the Committee hearing submissions
on Bill 106, an Act respecting wilderness areas

I recall that you indicated in Red Deer on July 30, 1970, that further written submissions would be welcomed by the panel inquiring into the public reaction to Bill 106.

I wish to make this as a supplemental submission to the brief I presented for the Alberta Fish and Game Association in Red Deer.

My submission is rather brief in that the suggestion is made in our submission that land should only be able to be removed from a designated wilderness area by an Act of the Legislature and preferably that the Act of the Legislature require a special majority. The suggestion is further made although not so strongly that the designations of wilderness areas themselves should only be made by the Legislature.

In view of the discussion that has gone on in various centres concerning a possible time lag between the passage of a Wilderness Areas Act and the designation of the Wilderness Areas by Order in Council and the possible danger that this time lag could present to our already existing wilderness areas, I wish to reinforce my suggestion that the designation of wilderness areas be made by an Act of the Legislature. If this were done it would permit the present wilderness areas to be designated immediately by schedule to Bill 106 in whatever form it is if it is passed by the Legislature and thereby avoid any time lag whatever and any danger whatever to the present wilderness areas.

I would respectfully submit this suggestion to the Commission

as a supplemental conclusion to my brief.

Yours very truly,

ALBERTA FISH AND GAME ASSOCIATION

A handwritten signature in dark ink, appearing to read 'R. H. Scammell', written in a cursive style.

R. H. Scammell - Vice President.

RHS:sh

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A B R I E F O N B I L L 1 0 6

"T H E W I L D E R N E S S A R E A S A C T"

P R E S E N T E D B Y T H E A L B E R T A F I S H A N D G A M E A S S O C I A T I O N

M E M O R I A L C E N T E R ,
R E D D E E R , A L B E R T A

J U L Y 3 0 , 1 9 7 0

P R E S E N T E D B Y :

R O B E R T H . S C A M M E L L ,
V I C E - P R E S I D E N T ,
T H E A L B E R T A F I S H & G A M E
A S S O C I A T I O N .

INTRODUCTION

This brief is one of a number being respectfully submitted to these hearings on Bill 106, "The Wilderness Areas Act" by the Alberta Fish and Game Association, an organization of sportsmen and a federation of sportsmen's clubs.

The Association is grateful for this opportunity to make its views known on Bill 106 insofar as our general view on the problems of wilderness is that too few opportunities are afforded by present statutes affecting wilderness for the public to make its views known.

The Alberta Fish and Game Association now represents over 100 affiliated member clubs comprising in excess of 20,000 individual members. The Association was established February 20th, 1908 and was incorporated November 13th, 1946 under "The Societies Act"; the Association is, so far as we are aware, Alberta's largest and oldest conservation organization.

Conservation of the renewable natural resources of the province has always been a prime concern of the Alberta Fish and Game Association and, in particular, it was largely through the urging of this Association, in co-operation with far-sighted members of government that the wilderness areas we now have were initially designated. For the past three years this Association has been working with government toward the establishment of a system of Wild Rivers in Alberta whereby certain of our rivers and streams will be preserved in their natural state. As recently as last July this Association indicated its continuing interest in the establishment of wilderness areas by suggesting to the Cabinet three new areas, Kananaskis, Elbow River and Castle River.

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The emphasis in this brief is on an examination of what protection existing Alberta law has given to the wilderness areas we now have, as a prelude to an examination of what protection is being proposed in Bill 106, "The Wilderness Areas Act."

This brief has been prepared on behalf of the Alberta Fish and Game Association and is to be presented in Red Deer, Alberta, on July 30th, 1970, by Robert H. Scammell, one of two vice-presidents at large of the Alberta Fish and Game Association. Mr. Scammell is a Barrister and Solicitor practicing in Red Deer, an outdoors columnist for the past four years for The Red Deer Advocate, a member of the Outdoor Writers Association of Canada and the Outdoor Writers Association of America, past chairman of Zone 3 of The Alberta Fish and Game Association and current President of the Red Deer Fish and Game Association.

THE NEED FOR WILDERNESS PRESERVATION

We would respectfully suggest this hearing need not trouble itself with whether or not wilderness should, in fact be preserved at all in Alberta: that question has been answered some time ago by our government in the establishment of the wilderness areas we now have, Willmore, Siffleur, White Goat and Ghost River.

More recently, in the last session of the legislature, a vote of confidence was given to the concept of wilderness preservation in Alberta by the passage of amendments to "The Public Lands Act, 1966," imposing on the Minister of Lands and Forests the duty of setting aside up to two sections of every township as a natural area.

Although we believe the need for wilderness preservation is

now well-recognized by the people and by our legislators, we also believe that many more wilderness areas must be established soon to preserve some of all unique Alberta land types, and for this reason and to reinforce what we have to say about the necessity of iron-clad legal protection of wilderness, we feel it is worthwhile here to set out some of the recognized reasons why wilderness must be preserved.

- (1) Water is acknowledged to be potentially our most valuable resource. Wilderness is the best defender of watersheds. Uses which destroy the watersheds - lumbering, mining, oil exploration and development, stream damming and diversion also destroy the wilderness and for this reason must be excluded from the wilderness.
- (2) Preservation of our wilderness is to relive Alberta history and bring some understanding of our heritage.
- (3) Certain species - elk, caribou, mountain goat, mountain sheep, grizzly bear and wolves - need large areas set aside from civilization to survive. The survival of many of these is already in doubt in Alberta.
- (4) In this century the world has used up and lost forever more natural resources than has all previous history; in the past 10 years in Alberta we have used up and lost more than in our previous history. We have come to the point of tinkering with our environment and the essential of intelligent tinkering, as ALDO LEOPOLD pointed out, is to save all the parts.
- (5) We need whole Alberta landscapes, untouched by man, so that in future we may have bench marks by which to measure our depredation of our Province.
- (6) Henry David Thoreau wrote: "In wildness is the preservation of the world." The modern practical application is that wilderness areas, free from man-made controls, are essential in the continuing search for botanical and biological specimens useful to man.
- (7) Wilderness areas are teaching areas, living laboratories and libraries where research can be carried on into the processes of life, where lessons are taught by nature in time and the interdependence of all life, the only place where, in fact, the process of evolution goes on and new species can develop unaffected by the influence

of man.

- (8) The wilderness is now and will become more important as a refuge for automated man. Eventually such areas of serenity and quiet may be essential to the health of modern man. Already land for recreational purposes is becoming one of our more valuable natural resources.
- (9) As can and probably will be demonstrated by maps prepared by the Alberta Wilderness Association, there is very little real wilderness left in Alberta. It is impossible for man to create wilderness; man can create only deserts. We already have all the wilderness we shall ever have. Unless we preserve wilderness now, we shall eventually have only deserts. Setting aside more and more areas for use as wilderness is the only way to have wilderness a century from now. What wilderness we save in Alberta through hearings such as this is all we shall ever save.

CREATION OF EXISTING ALBERTA WILDERNESS AREAS BY VARIOUS STATUTES.

There are presently four "wilderness" areas in Alberta, designated under three separate provincial statutes.

- (1) The first "wilderness" area established in Alberta, the 1,375,360 acre, 2,149 square mile "Willmore Wilderness Park" was established in 1959 by a special statute, "The Wilderness Provincial Park Act," Stats. A. 1959, C. 95, renamed "The Willmore Wilderness Park Act" by stats. A. 1965, C. 101.
- (2) The smaller 159.13 square mile Siffleur and the 488.72 square mile White Goat Wildernesses were both created in 1965 by Order in Council 1876/65 published as Alberta Regulation 554/65 passed pursuant to Section 119(a) of the Old "Public Lands Act", R.S.A. 1955, C.265 and amendments thereto and are now administered under "The Public Lands Act, 1966," Stats. A. 1966, c. 80, by virtue of Section 5 of the new Act.
- (3) The most recently-dedicated wilderness area, the 37,850 acre Ghost River Wilderness Area was created in 1967 by Order-in-Council 763/67 published as Alberta Regulation 182/67 passed pursuant to Section 8(a)(i) of "The Provincial Parks Act, 1964", Stats. A. 1964, C.71.

PROTECTION AFFORDED EXISTING WILDERNESS AREAS UNDER PRESENT LEGISLATION

- (1) "The Public Lands Act, 1966": Although the Siffleur and

White Coat Wildernesses are the only Alberta Wildernesses specifically designated under "The Public Lands Act, 1966", Stats. A. 1966, C. 80, the effect of the joint operation of sections 2 (p) and section 4 is that all Alberta wilderness areas come under "The Public Lands Act, 1966," and the trusteeship of the Minister of Lands and Forests because, so far, all our wilderness areas are "public lands" in that they are "lands of the Crown in right of Alberta."

Therefore, section 32 (1) of "The Public Lands Act, 1966" also applies to all present Alberta wilderness areas:

"All mines and minerals and the right to work the same are, by implication and without the necessity for any express words of exception, excepted from every disposition and notification made under this Act."

In effect, the Crown explicitly reserves the mines and minerals in any disposition made under the Act, including designation of wilderness areas such as the Siffleur and White Coat. What is implicit is that the Crown reserves the right to work the mines and minerals and can and does in fact grant permits, licences and leases in that regard.

Actually "The Public Lands Act, 1966" is a vast improvement over the previous Act, giving broad protective powers to the Minister such as:

Section 13:

"The Minister may by Order classify public lands and declare the use for which he considers them to be adaptable."

Section 14:

"The Minister may restrict the disposition or withdraw from disposition any public lands in any specified area in any manner he may consider warranted, or prescribe, as to any specified public lands or public lands in any area, when and upon what conditions applications for dispositions may be made."

The Minister also has specific powers to protect all public

lands under Section 50 of "The Public Lands Act, 1966," a will enactment that, unfortunately, probably leaves too much to one man, which perhaps explains why, so far as we are aware, Section 50 has yet to be invoked to protect any public land in Alberta.

One piece of legislation should be mentioned that applies specifically and only to the White Goat and Siffleur Wildernesses, and that is Ministerial Order 157/62, Alberta Regulation 55/63, passed under Section 5 of "The Forest Reserves Act," R.S.A. 1955, C.119, stating it is desirable to control operation of motor vehicles in the wildernesses and prohibiting travel by every kind of self-propelled vehicle in the White Goat and Siffleur Wildernesses. So far as we can discover, these are the only two Alberta wilderness areas where motorized travel is now specifically prohibited by law.

In our view the protection offered to Alberta Wilderness Areas by "The Public Lands Act, 1966, could, theoretically, be excellent, except that any protective measure by a Minister of Lands and Forests is subject to being over-ruled by the Cabinet, simply by passage of an order-in-council under section 4 of the Act, transferring any public land (including wilderness areas) to the administration of another Minister (say, the Minister of Mines and Minerals, for purposes of exploiting the mines and minerals reserved under section 32).

Section 4 of "The Public Lands Act, 1966" provides that all public lands are under the administration of the Minister of Lands and Forests, except those public lands that are by reason of any other Act or of an order of the Lieutenant Governor in Council "under the administration of another Minister of the Crown or of a Crown Corporation."

Once the land is placed under the administration of another

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Minister or a Crown corporation then, by virtue of Section 3, the whole of "The Public Lands Act, 1966" does not even apply to the area, and any protection it affords the area is lost.

One perhaps cannot argue against such power being exercised by an Act of the Legislature, because full debate of the measure in the legislature would be assured. But to allow such steps to be taken by Order-in-Council is to assure that great incursions can be made into our public lands, including wildernesses, without any public knowledge, public debate, or even debate by the majority of the elected representatives of the people.

That the fear is not merely theoretical is illustrated by the fact that late in 1969 approval is alleged to have been given to Scurry-Rainbow Oil Ltd. and partners to drill an exploratory well on a lease granted to Shell Canada Ltd. inside the White Coat Wilderness before the area was declared to be a wilderness.

(2) "The Willmore Wilderness Park Act": In addition to what protection it might receive under "The Public Lands Act, 1966," The Willmore Wilderness Park "would receive what protection is available under "The Willmore Wilderness Park Act," Stats. A. 1959, C.95, the Statute that created it.

Our association must commend the appearance in this Act of Section 4, the statement of purpose and, as will appear later, is pleased to see something similar in Section 4 of Bill 106, the bill under discussion here.

Unfortunately even more than "The Public Lands Act, 1966," Section 3 (2) of "The Willmore Wilderness Park Act" subjects the Willmore Wilderness to the vague and possibly secret and arbitrary control of the Lieutenant-Governor in Council:

"The Lieutenant-Governor in Council may

- a) increase the area of the Park by the addition of lands adjacent to it, or
- b) decrease the area of the Park by the withdrawal of lands from it."

Our association is aware that the power under (b) has been exercised twice by Order-in-Council to decrease Willmore Wilderness Park: the coal mining industry and the Alberta Resources Railway is alleged to have taken 184,000 acres in 1965, and on December 13, 1968, it is alleged Mountain Gypsum Ltd. was granted a licence to quarry 154 acres on the extreme west side of the Park. We suggest that this commission exercise what powers it has to examine government records to find out what other dispositions have been made in Willmore and, indeed, in the other wilderness areas in the Province.

Such dispositions are, of course, really made in furtherance of the purpose of Section 7 of "The Willmore Wilderness Park Act":

"Nothing in this Act affects the administration and control of mines and minerals within the area of the Park."

If you know the land will be damaged by the mining, and you know you have no effective laws to prevent, control or repair that damage, and even if you did, then Section 8 gives the Lieutenant-Governor in Council power to declare those laws inapplicable in the Willmore Wilderness, then the easy and shoddy way out is remove the land from the protection of the Act. This, at least, is the angry and sad response of proponents of wilderness to the Willmore incursions, especially since such incursions appear to be in direct conflict with the lofty aims set out in Section 4 of "The Willmore Wilderness Park Act" that the park should "be maintained for the enjoyment of future generations."

Other than for Section 4 which seems to be ignored, then,

"The Willmore Wilderness Park Act" gives the Willmore Wilderness Park no protection whatever additional to what it would receive under "The Public Lands Act, 1966". Even if there were any additional protection, it could just as easily be removed as that of "The Public Lands Act, 1966" by Order-in-Council, in secret, without publicity and without debate. In fact, the people of the Province of Alberta have not heard of the removals of land from our present wilderness areas until they were accomplished facts.

(3) "The Provincial Parks Act": In addition to the protection of "The Public Lands Act, 1966" it shares with the other wilderness areas (See Sec. 11, "The Provincial Parks Act, 1964") The "Ghost River Wilderness" would also benefit from whatever protection is afforded by "The Provincial Parks Act, 1964," Stats. A. 1964, C. 71, under which it was created.

"The Provincial Parks Act, 1964" contains no statement of purpose, strange in so beneficial an Act, and it does not define "wilderness area" except redundantly as "land established as a wilderness area pursuant to this Act." "The Provincial Parks Act, 1964" and the regulations passed thereunder (O.C. 1037/64, published as Alberta Regulation 305/64) do, however, go into more detail concerning what may and may not be done in a Provincial Park.

In addition, with regard to Provincial Parks, there is the Alberta Government Policy on Provincial Parks, published in the February, 1968 "Within Our Borders" which is considered by our association to be such a remarkable document that a photocopy of it is appended hereto as an exhibit. We particularly direct the attention of the commission to the hearing "Wildlife, Nature and Forests" as an example of what might

be done in Bill 106 by way of a declaration as to what purposes a wilderness area is suited.

Unfortunately, however admirable, this is only policy, has no force of law, and is easily forgotten as evidenced by the fact that the present Premier himself publicly stated that Alberta has no parks policy when the recent controversy over the oil exploration and drilling lease recently granted in Cypress Hills Provincial Park.

That such a lease could be granted so recently in any park, let alone one so unique and valuable as Cypress Hills, illustrates the point that all our dedicated public lands, including parks, but especially wilderness areas are now receiving inadequate protection from our law.

Again, "The Provincial Parks Act, 1964" in Section 8(a) contains the simple, convenient hatch through which the government may escape in secret and by removing land from a park or from the Ghost River Wilderness, make a mockery of whatever purpose prompted the dedication in the first place:

"~~The~~ Lieutenant Governor in Council may by regulation ... increase or decrease the area of land designated as a park, historical site, natural area or wilderness area..."

CONCLUSIONS REGARDING PRESENT LEGISLATION

This Association accepts the principal that, in a Parliamentary democracy, any government must be able to undo what it has done, and that this principle must apply to the dedication of wilderness areas, parks, natural areas and so on.

When, however, that which is "done" is the dedication of land in perpetuity for the use and enjoyment of it in its natural state by

present and future generations, this Association does not accept the principal that the "undoing" must be easy.

In addition, while this Association has accepted the principle of multiple use in many areas of the province it believes that multiple use is incompatible with and destructive of wilderness values and therefore has no place in wilderness areas. The continued incursions by oil and mineral developments into our wilderness areas with the consent of the government, poses the greatest threat to wilderness areas in Alberta, and laws which permit such incursions as all our present wilderness laws do, are in fact promoting the destruction, not the preservation of wilderness areas. We believe, like Justice William O. Douglas of the U.S. Supreme Court: "The right to invade wilderness areas should be barred to all mineral claimants."

The foregoing examination has revealed that present Alberta legislation under which our parks, natural and wilderness areas are created simply makes the "undoing" too easy. In every case a previously dedicated park, natural area or wilderness area could be wiped out completely by order-in-council, a procedure generally carried out in secret, certainly without giving the public any chance to be heard, and without, in fact, any debate in the legislature.

This one defect in our law, coupled with the recent alarming incursions of industry into two wilderness areas and one park, and illustrated by the experience in other jurisdictions, make it clear that, once we have decided we will have parks, natural and wilderness areas, then it is our governments, present and future, against whom we must protect them. Every recent "undoing" of a wilderness area has been done by private industry,* but only with the consent and urging of the

government. Our present laws simply make it too simple for a government to succumb to temptation and take just a little more land from previously dedicated land.

In the final analysis, the government which does not dare protect land from itself, does not protect land from future governments, which may be less wise, and therefore protects nothing from anything and ultimately is left with no wilderness to preserve.

AN EXAMINATION OF BILL 106, "AN ACT RESPECTING WILDERNESS AREAS"

This Association has carefully studied Bill 106, "An Act Respecting Wilderness Areas," and has concluded that there is much of value in it and improvements that could be made in it.

A prime value of Bill 106 is that it represents an attempt to bring all Alberta Wildernesses under the control of one Act and one Minister, the Minister of Lands and Forests, the Trustee for the people of all public land in Alberta. Our suggestion is that better planning and more uniformity would be achieved if provincial parks and, hopefully, wild rivers were eventually brought under this Act.

As has been shown previously, a major fault of the wilderness legislation we already have is that it permits large portions of previously-dedicated wilderness to be removed from wilderness areas without any public discussion or debate. The establishment of the Advisory Committee on Wilderness Areas by Section 5 and 6 of Bill 106, and the provision for the holding of public hearings on changes in wilderness areas is, if enacted, a great improvement.

The Alberta Fish and Game Association does feel, however, that the proposed bill does not make it clear that public hearings must be

held on every proposal to remove land from a wilderness area.

We are also in agreement with Section 5 (2) providing that a majority of the members of the Advisory Committee shall not be employees of the Government. We believe this section should also provide that a majority of members of the committee shall not be members of the government if what is intended is objectivity.

The Alberta Fish and Game Association is also pleased with Section 11 (1) (a) making it clear that motorized travel is not to be permitted in wilderness areas.

Perhaps there is too much room for discussion in Bill 106 as section 5 (6) provides for mandatory reference of any recommendations of the Advisory Committee on wilderness to the Environment Conservation Authority, a body established under "The Environment Conservation Act" passed in the last session of the legislature. The reason for such reference is not made clear in Bill 106, and should be, insofar as The Environment Conservation Authority has no powers and is only an advisory board reporting to the Lieutenant Governor in Council.

The clear implication of this, especially in view of Section 3 of Bill 106, providing that the wilderness areas will be promulgated by order-in-council, is that removal of land from wilderness areas will also be done by order-in-council, which is to perpetuate the system by which lands have already been removed from our wilderness areas.

We believe, in short, that the present proposed Bill 106 must be changed at least to require that designations of wilderness areas and removal of lands from wilderness areas be done by Act of the legislature and, because removal of land is such a crucial step, that provision be made for this being done only by a special majority of the legislature.

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We believe that a wilderness act must contain a statement of purpose and a definition of wilderness, because such statement and definition form the standard by which the rest of the Act is interpreted when questions of interpretation arise, as they surely will. We believe section 4 of Bill 106 supplies an admirable statement of purpose, but falls far short of a definition of "wilderness", and of course, Section 2(d) is only technically a definition of "wilderness area." We suggest that Bill 106 would be vastly improved by the addition of the definition from "The Wilderness Act (U.S.A.)" Public Law 88-577, 88th Congress, S. 4, Sept. 3, 1964:

"A wilderness in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in the Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which

- (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
- (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
- (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and
- (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value."

We are uneasy about section 7(b) of Bill 106 and believe "the maintenance of stable watershed conditions" could be used to justify water diversions and dams for sewage dilution and hydroelectric power - uses now generally considered not to justify the destruction of wilderness values involved.

Our major objection to Bill 106 is that in sections 8 and 9 it perpetuates our major objection to present wilderness legislation:

the disposition for and the exploitation of mines and minerals, lumber and pulp.

To be sure, section 8 does attempt to limit such developments to cases where the Crown is under a legal liability to permit such developments and such liability arose before the land became part of a wilderness area under Bill 106. It is not necessary to point out that Bill 106 is not yet law, but it may be necessary to repeat that we now have four Wilderness Areas created under other existing legislation and that, no doubt, many dispositions have already been granted in these existing wilderness areas where the Crown is under a legal liability to permit development therein which is absolutely destructive of wilderness values.

That such sections as 8 & 9 of Bill 106 could be proposed at this time is clear indication of a fundamental mistake repeating itself in Alberta legislation: the mistaken belief that the multiple-use policy can apply to wilderness areas. In enlightened jurisdictions dedicated wilderness now admits of only one type of use - the recreational use - and this use is itself limited as, for example, even in section 11 of Bill 106 where fishing is to be allowed, but hunting and, apparently camping are not.

To permit lumbering, mining and drilling in a wilderness area while rejecting hunting and camping is logically absurd in a Bill designed to protect wilderness, but to allow for the former is tantamount to saying that we shall not, in Alberta, protect our wilderness areas from their real enemies. We believe that wilderness will be preserved in Alberta only if sections 8 & 9 of Bill 106 are scrapped and a section or sections are substituted therefore providing:

(1) That no further dispositions for development of any kind shall be made in a wilderness area following commencement of the act;

(2) That the Minister has power, where possible, to cancel, purchase, or expropriate any dispositions previously made in a wilderness area prior to designation;

(3) That no person or corporation has the power to expropriate any interest or right in a wilderness area from the Crown.

Such measures may seem harsh and revolutionary, especially in a Province so attuned to the removal of natural resources. We are mindful, however, of the words of David Brower, former executive director of the Sierra Club: "polite conservationists leave no mark except the scars on the land that could have been prevented... we still need conservationists who will attempt the impossible, achieving it because they aren't aware how impossible it is." Substitute "government" for "conservationist" in the quotation and it becomes obvious what is needed to protect designated wilderness in this province.

SUBMISSION IN BRIEF

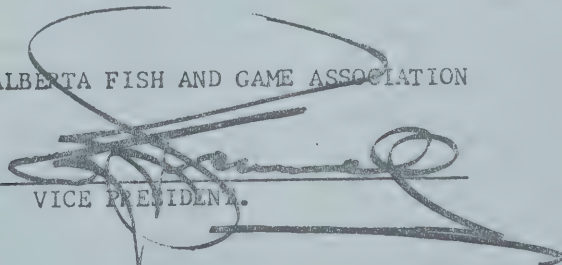
The Alberta Fish and Game Association believes and urges the commission to consider:

- (1) That we must commence immediately to designate, preserve and protect much more wilderness than we already have designated. In particular we believe the Kananaskis, Elbow and Castle River areas previously suggested to the cabinet be seriously considered. In general we believe serious attempts must now be made to preserve existing wilderness areas of other than mountainous land - prairie, foothill and parkland come immediately to mind. In addition we believe steps must be taken soon to preserve Wild Rivers.
- (2) That it is desirable that all wilderness areas at least, and possibly even Provincial Parks and Wild Rivers when established should be established and protected under the same Act of the Legislature to promote planning and uniformity.
- (3) That the wilderness areas in particular must be as securely preserved by law as humanly possible.

- (4) That the present practice of designation of wilderness areas and withdrawal of land from wilderness areas by order in council, perpetuated in the proposed Bill 106, be altered by amending Bill 106 before it is presented in the Legislature again to provide at least that land may be withdrawn from a wilderness area only by an Act of the Legislature and preferably only on a two-thirds majority vote of the Legislature.
- (5) That a comprehensive definition of wilderness be included in Bill 106 before it is presented again, preferably the definition quoted earlier in this brief from the U.S.A. Wilderness Act, or a similar definition.
- (6) That sections 8 and 9 be deleted from Bill 106 in favour of provisions similar to the Provincial Parks Policy that mining or harvesting resources of land or water, including oil exploration, easements for commercial purposes such as oil wells, pipelines, power lines, etc. are detrimental to wilderness values and providing further:
- (i) That no further dispositions detrimental to wilderness values shall be made in a wilderness area following its designation;
 - (ii) Giving the Minister of Lands and Forests power to cancel, purchase or expropriate dispositions previously made;
 - (iii) Providing that no person or corporation has the right to expropriate any right in a wilderness area from the Crown.

All of which is respectfully submitted.

THE ALBERTA FISH AND GAME ASSOCIATION

PER: 

VICE PRESIDENT.

Plans For Multi-Purpose Enjoyment Of Alberta Inaugurate Terms Of Reference For Uses Of Various Sites Including Those Of Camping, Townsites, Recreation, Others

TO GUIDE THE administration and development of Alberta's growing Provincial Parks system, officials of the parks division of the Department of Lands and Forests have drawn up a Statement of Policy. Copies have been sent to all parks authorities in Canada, including National Parks, and have drawn commendation as a fine policy, the first in Canada to be set down in printed form.

Need for such a guideline became apparent with the rapid increase in popularity of the parks in recent years, current attendance running about 4,000,000 per year. The Provincial Parks system had its beginning May 15, 1932, with the establishment of Aspen Beach Park on Gull Lake. By 1968 it has grown to 37 active parks and seven more in the development stage.

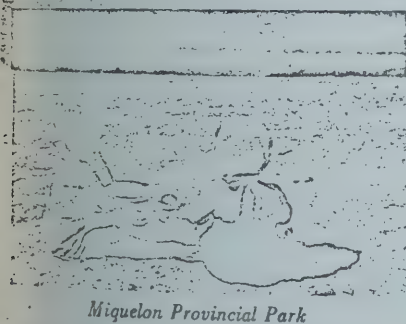
The basic purpose in administration is contained in a preliminary paragraph in the Statement of Policy: "The fundamental obligation . . . is to preserve from impairment all significant features of nature, while providing opportunities for enjoyment of the park and its natural recreational activities and developments in perpetuity."

Some of the major points covered in the statement are:

TOWNSITES

(1) The leasing of land and construction of houses, whether for permanent residence or summer cottage use, is not compatible with other park purposes.

(2) The removal of existing establishments should be effected wherever possible, in a manner that will inconvenience the users or lessees as little as possible, when the subdivided area becomes necessary for expansion of facilities more compatible with park purposes.



Miquelon Provincial Park

GROUP CAMPING DEVELOPMENTS

(1) The leasing of land and construction of permanent buildings by private organizations is not permitted in parks. The removal of existing establishments such as church camps and youth camps should be effected wherever possible.

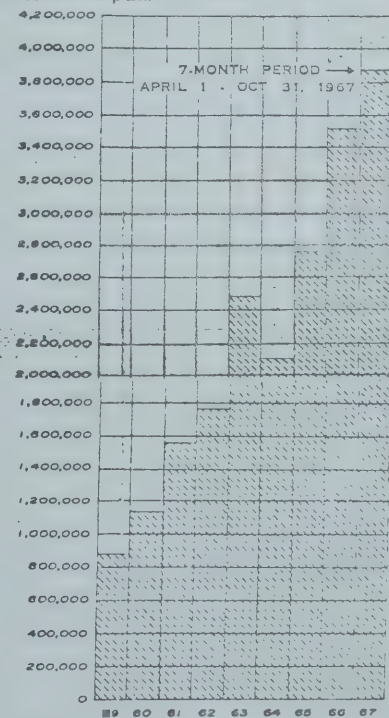
(2) Campground facilities suitable for organized group camping are desirable, and areas should be designed, developed and maintained by the department to be made available to suitable groups.

RECREATION

(1) Artificial or urban-type recreational developments will not be permitted in parks if their presence is not in harmony with park purposes or causes impairment of natural or scenic values.

(2) Only wholesome outdoor types of recreation, compatible with the natural atmosphere, will be permitted. This rules out noisy, gaudy or tawdry elements and "midway" amusements.

(3) Artificial recreations should not be introduced to attract visitors who would not otherwise visit a park.



CAMPING

Camping is an activity closely related to the basic purpose of a park. Facilities and regulations must be carefully planned to encourage this use, without sacrificing natural values.

Campgrounds with varying degrees of services are required. Larger serviced campgrounds are necessary at certain points, with flush toilets, electricity, heated water and shelters, and with separate zones for tents and trailers. Semi-serviced campgrounds would provide near-natural conditions in prepared sites, with only basic facilities such as piped water and possibly flush toilets and kitchen shelters. Primitive campgrounds provide little more than designated, brushed-out camping spots, to avoid deterioration of prime site through haphazard occupancy.

ACCESS TO PARKS

Commercial Highways - Trunk highways passing through a park represent an intrusion, and can be accepted only if they are of sufficient importance that the sacrifice of park values can be justified.

Park Roads - A system of non-high speed roads within a park, although an impairment, is necessary to allow visitors access to park features.

Airfields - Provision of airfields in parks should be limited to areas where there is sufficient land and a definite need.

Waterways - Since travel by boat is an acceptable means of enjoyment and access to points of interest, improvements to waterways which do not create significant impairment are justified.

Where safety of swimmers, limited size of a water body or the wilderness character require it, power boating may be limited or non-powered craft only permitted.

Accommodation for boats, such as launching ramps, docking, and shore facilities such as parking areas and toilets, and accommodation for commercial boat services, should be designed to park standards, and be built and owned by the government. The department should not attempt to provide seasonal docking or storage and repair facilities.

Trails and Footpaths - Travel by foot in parks should be encouraged. In constructing trails for horses, and footpaths, care should be taken to avoid impairment of the landscape.

RESPONSIBILITIES OF DIVISION

The Provincial Parks Division should assess the recreational potential, recommend reservation of suitable land, establish, develop, and manage parks to meet the need of present and future population. It should administer parks, recreational areas, historical sites, natural areas, wilderness areas, and roadside campsites not operated by the Department of Highways.

WILDLIFE, NATURE AND FORESTS

Objects of nature, the flora, fauna, soils and waters, should be preserved unimpaired. The quality of beauty and wildlife must be maintained in a natural situation. Since modern hunting methods tend to reverse the process of a natural selection by favoring survival of the less fit, parks must be retained as game preserves, excluding Wilderness areas.

The following activities are detrimental to natural history values in a park and should only be accepted if they are of sufficient importance that the sacrifice of park values can be justified:

- (1) Grazing of domestic livestock,
- (2) Pollution of air, soil or water,
- (3) Mining or harvesting resources of land or water, including oil exploration and drilling,
- (4) Easements for commercial purposes such as oil wells, pipelines, power lines, etc.

Good quality angling should be maintained through habitat management and fish culture.

Public appreciation of natural history values must be developed through nature trails, guides, nature museums, leaflets, lectures and other interpretive activities. Methods of mass communication should be used to acquaint Albertans with the purposes, uses and benefits of their parks.

Forests should be protected and maintained, and only operations with this aim should be permitted. Cutting timber for commercial value alone should not be permitted.

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- (2) "A Wilderness Bill of Rights," by William O. Douglas, Little Brown & Co., 1965.
- (3) "Voices for the Wilderness", ed. by William Schwartz, A Sierra Club - Ballantine Book.
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Presented by Elmer New for Lou 3 Albert 7/29

Brief for Wilderness and Semi-Wilderness Areas in That Portion
Known as the East Slopes Forests Reserves of Alberta

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In recognition of the foresight of individuals and government in setting aside areas as forests reserves, parks and generally areas of restricted development.

And in view of the pressure of tourist oriented development by public groups, the pressure of industrial developers and the need to rationalize values of economic gain in relation to the long range social needs of our people. We feel it ultra-essential that guide lines be clearly defined and policy be adopted by government that will protect the values of wilderness areas as well as determine the extent of development that should occur in the semi-wilderness of the East Slopes Forest Reserves.

In view of this statement and the apparent willingness of our government to establish a firm policy for wilderness we submit the following two points for consideration.

(1.) Wilderness Areas

- Purpose - Wilderness areas should be established permanently for the purpose of preserving their natural beauty, ecology and wilderness character for the enjoyment of present and future generations; these areas to be established by a Wilderness Act.
- Areas - Areas already designated as wilderness, namely the Siffleur, White Goat, Ghost and a portion of the Wilmore Wilderness Park as well as small areas known as the Kanaskis, Elbow and Castle River (submitted to Cabinet in 1969) be declared as wilderness. Further that small areas of other than mountain topography may be so classified in the public interest adding the character of Prairie, Parkland and Water Course under this legislation.
- Use - The use of these generally small areas in keeping with the purpose of their establishment must preclude any unnatural development or travel other than by human or animal propulsion.

It is recognized that some of the proposed areas may have existing leases which should not be renewed and, where possible, such leases should be cancelled.

While the value and use of wilderness areas could be a lengthy use of words, suffice to say these areas are for the enjoyment of all who enter, that fish and game may be taken in season however, hunting may be prohibited for some species.

(2.) Semi-Wilderness

The larger part of our East Slopes Forest Reserves form the semi-wilderness used by and adjacent to the bulk of Alberta's population and tourists. The area is well served by a north-south road known as the trunk road, with a sufficient number of exits, camp kitchens and adequate service facilities for the average user. We wish to recognize the fact that the real value of the area is the semi-wilderness aspect which has been protected by a policy of control against area monopoly and unnecessary development.

We recognize also the multiple use concept with clean water supply as the prime use. We believe the hunting, fishing and scenic use of this semi-wilderness is completely complimentary to the prime use and without question the secondary priority of the East Slopes Reserves.

In view of this statement and recognizing the pressure to develop recreation facilities superfluous to the area, recognizing promotions completely uncomplimentary to the prime use.

We urge our government to immediately reassess our development position and consider the following in a long range use policy.

We believe the above stated primary and secondary uses are completely people-oriented and will stand for all time. Other uses though they may not be complimentary should be judged not on a short term economic return but on whether they impair or destroy the prime values.

The following suggestions are respectfully submitted:

- (a.) That the East Slopes Forest Reserves remain as a classified semi-wilderness complimenting the smaller wilderness areas.
- (b.) That only most essential services be permitted and these be developed in presently established travel corridors such as along Highways numbers 1, 3, 11, and 16.
- (c.) That sale or lease of lots or sites for private use or development be disallowed. It should be noted that any such sale or lease creates an air of area of monopoly. It is also well known that there is no end to demands for ownership and control of space and resultant services needs. It should also be pointed out the whole area if for sale or lease could be disposed of in a very short time.
- (d.) That harvest of forest products be approved only under strict supervision of good forestry and pollution control practices.
- (e.) That long range value studies be made considering damage to the primary uses of the area, before any further mineral or coal development is permitted, further that such aspects as pollution, noise of development and right-of-ways be considered along with the resultant scars to the topography. It is our firm opinion that such studies by unbiased research people be given public hearing along with the cost benefit to our province before development permits are given. An important aspect of such a long range study should consider the costs to the public purse of establishment and maintenance of a mining industry as well as the effects on our balance of trade with purchasing countries if that trade affects our sale of other primary food products.

- (2.) That grazing of domestic stock within the Forest Reserve be discontinued where that use is causing deterioration of stream banks or is in direct competition with good wildlife management. It is our firm opinion that the present range management policy covering grazing allotments on the East Slopes which allows removal of 60% of the forage is completely unrealistic and does not allow sufficient winter forage for wildlife.

We suggest an immediate removal of non-essential horses from important game ranges, a curtailment of animal units of other domestic stock where there is conflict of wildlife and water management.

We feel it is entirely pertinent at this time in view of provincial policy to assist farmers to seed land to forage crops. And in view of federal policy to assist also in forage production as well as take land out of grains, that much of the live stock using potential game range in the East Slopes should be grazed on agricultural lands.

The forementioned situation is particularly true of Central Alberta where farm incomes rely heavily on the sale of hay and the use of forage pasture lands which are and will be in surplus position.

In view of the whole question of proper and profitable use of agricultural lands and the increasing demand for our big game resources, there is real doubt whether any domestic stock should be allowed in areas such as the Clearwater and Red Deer Valleys of the forest reserves.

In conclusion, that areas of special concern be given immediate attention, and we wish to site one such area where much exploration has been permitted to assess varied and opposing types of development. The area of concern is known as the Ya-Ha Tinda and Corners District, lying near the head of the Red Deer and Panther Rivers east of the Banff Park boundary. The area has the potential of being one of the most productive elk producing areas or territories on the continent if the primary uses of this area was given its rightful priority.

The paradox of the situation is that permits are granted to explore for coal over a large part of the area, and permits applied for to explore the feasibility of a large recreational centre. A planning commission projecting hard top or improved roads through the area and complicated by year round pasturing of well over 300 head of mostly unused horses as well as hundreds of head of cattle using the river valley which should be the dispersal area for the elk production.

We are certain our concern is shared by the majority of Albertans in this and other areas with similar problems of conflicting development interests. It is for this reason we site one example to point out the need to examine the whole area of this presentation that a policy will be developed as outlined in our opening statement.

This presentation reflects the position taken by Zone 3 of the Alberta Fish and Game Association on the various matters contained and presented to Government during the last ten years and as late as the Cabinet Meeting of 1969 and our Convention of 1970.

(18)

COMMENTS ON THE
PROPOSED BILL 106
'AN ACT RESPECTING WILDERNESS AREAS'

by

W. Windsor,
Box 175, Olds,
Alta.

Messers: Dr. V.A. Wood, Deputy Minister of Lands and Forests
Mr. R.G. Steele, Director of Forestry
Mr. D.S. Lawson, Director of Lands
Mr. E.P. Shaver, Director of Parks
Mr. G.R. Kerr, Chief Wildlife Biologist
Mr. R.A. Seaton, Director of Mineral Rights
Mr. H.W. Thiessen, Chairman, Conservation & Utilization Committee.

I indeed consider it a privilege to offer comment on the proposed piece of legislation known as 'Bill 106'. That our elected representatives have seen fit to seek public opinion and that they are concerned with establishing Wilderness Areas is commendable.

With specific reference to the proposed Bill and its apparent intent the following. I trust that you Sirs will find them constructive and pertinent.

1. Re: 'Wilderness'

This term must be clearly and definitely defined. The 'Act' must not leave said term to the discretion of individuals but, set forth within the 'Act' a clear meaning of a Wilderness Area and all activities pertaining to it.

It may be that Section 4 was intended to cover this point. If so, it appears inadequate in that it fails to indicate how these purposes will be achieved and therefore realized.

I do not pretend to have a perfect definition. I do have some ideas which you may find worthy of incorporation into the final draft of the 'Act'.

A. Size - Minimal size of each area must be such that it will exist to perpetuity regardless of man's activities in surrounding areas.

B. Nature of Activities Within the Area - Each area must be protected by law so that man's activities within the area shall be such that his influence on the ecosystem will go un-noticed. It therefore follows that there would be absolutely no exploitation of the area in the quest for non-renewable resources or for their conveyance through the area. Any reason for entering upon Wilderness lands should be acceptable provided: 1) it be in the pursuit of health and/or recreation; 2) the mode of conveyance shall not disturb or disrupt the ecosystem and 3) the activity of the visit shall leave as

a heritage that which was already there.

In summary on this point, I offer terms and phrases such as; unaffected ecosystem; perpetuity; man's visits go unnoticed; natural state; uninfluenced by man; free of mining and lumbering; free of road building; and free of exploitation of non-renewable resources.

2. Re: Areas Incorporated

A. - How

It is noted that Orders in Council appears in several paragraphs of the proposed Bill. It is herewith contended that all legislation relative to Wilderness Areas should be by an act of parliament. It is probably redundant to point out that by such action changes would be more difficult and more important -- be made public.

B - What

There does not appear to be any logical reasoning to limiting Wilderness Areas to 'public lands'. It seems conceivable that private lands could well be incorporated into Wilderness Areas.

3. Re: Advisory Committee

The philosophy of an Advisory Committee is excellent. It is contended here that there definitely should be such a committee. The Act should so state this idea. The duties of this committee should be in accord with their entitled position -- 'Advisory' and in no way be the only voice in decision-making. If point 2A (above) were adhered to, decision making would be an inter-action of Albertans and their elected representatives.

4. Re: Establishing & Maintaining Wilderness Areas

A - Establishing

The designation of a Wilderness Area (s) must not be done in haste. It should be done only after due deliberation by Government personnel, the Advisory Committee and interested Albertans.

B - Maintaining

Once established and having a clear-cut definition, it must remain to perpetuity. The proposed Act is remiss in suggesting a withdrawal, as in Section 6(b), when in fact Wilderness areas should be such for all future

generations.

Further, if the Act is to be meritorious, it must over-rule other Acts (such as the Right of Entry Arbitration Act) and make provision for cancelling any and all previous commitments. These cancellations would include leases, permits and even mineral rights.

5. Re: Travel & Purpose of Entry

A. Travel -

If, in definition, man's visits to Wilderness Areas is to go unnoticed, the type of travel which would tend to meet these ends would not include motorized vehicles or horses. The use of horses in Wilderness Areas would tend to establish trails and constant trampling by horses hooves will lead to extensive destruction of ground herbage which will in turn lead to wanton erosion.

Further, the right of horseback travel would tend to favor guides and outfitters. Special privileges of all kinds should be avoided.

B. Purpose of Entry -

I found considerable amusement in contemplating Section 11 (b). As per the statement, eating, intercourse - both verbal and sexual and sleeping would be in contradiction to the Act. Perhaps, by definition, the Act should indicate what an individual visitor should not do while in a Wilderness Area rather than attempt to indicate what he may do!

It is with interest that I note that hunting and shooting have been omitted. Such is the case in our National Parks. The result is a wanton waste of wildlife with its consequential breakdown of the ecosystem. Wilderness Areas must be managed. We have professionals in Forestry, Game Management and in Water Conservation. Let them manage the areas, let the Act give them their code of reference.

6. Re: Violations

The Act, of necessity, must indicate penalties --- it should also outline restitutions. The damage caused, if in fact there is damage, must be rectified by those who have caused it, not by the innocent.

Because we live in an age of defiance, of indifference and of living in and for the present, it is hoped that, as stewards of public interest, our elected politicians will approach Bill 106 in the vain of sincerity, making

it, not a piece of paper and another piece of impractical legislation but rather, a document which will be clearly defined; exact in its policy and one which will be enforceable to the ultimate so that it will be an effective measure of a generation of Albertans who will be remembered as being 'with it.'

Respectfully submitted this 30th.
day of July, 1970.

A handwritten signature in cursive script, appearing to read 'W. Windsor'.

W. Windsor.

WRIET IN FAVOR OF WILDERNESS ACT

8/19

I support the idea of a Wilderness Act to control the destruction of our last remaining bit of Wilderness by Oil Explorations, Coal mining, Pulp milling Ect.

I suggest that the Act be written to ensure that:

1) No motor driven vehicles be permitted in the Wilderness Area's except for the control of Forest Fires, control of disease among animals and vegetation, or emergencies involving the safety of persons.

2) All types of recreation be allowed in the Wilderness Area's providing it be done without motor driven vehicles, or any damage to the natural environment.

PERSONAL REMARKS:

I would certainly like to see what little Wilderness we have left stay as the ^{Good} Lord intended it to be, without roads, motor vehicles, pollution and disfigurement of its natural beauty. Our future generation would indeed thank us if we could keep it as it is now, and I think we owe it to them to have it remain so. We have enjoyed it to its fullest. Why not give them the same chance...

Myrtle Raivio

Box 182

Rocky Mountain House, Alberta

(2)

P.O. Box 122
Red Deer, Alberta
July 21, 1970

Dr. V.A. Wood,
Deputy Minister,
Dept. of Lands and Forests,
Edmonton, Alberta.

Dear Sir:

My opinion has been sought regarding wilderness Parks in Alberta. There should be four. One of the most important, the area beyond the Yaha Tinda Forestry Station all the way to the boundary with the National Parks. This takes in some of the unspoiled parts of the mountain terrain. Only hikers should be allowed beyond the Yaha Tinda Forestry Station, though I realize there have to be roads for your forestry people in case of fires.

A second park in the wastelands next the Saskatchewan Boundary, north of Empress. Perhaps the last natural homesites of Sprague's pipits, the equal of English skylarks in bird song. This would also serve as a sanctuary for sharp-tailed grouse, antelope, a few deer, and possibly a come-back area for sage grouse. Hikers only; no car traffic.

A third park west of the Birch Mountains; where there would have to be forestry roads for fire control, but only tourist-hikers allowed, otherwise. The National Trusts of the British Isles even prevent people from straying from marked paths, as a way of preserving the terrain.

Fourth, a park south of Lethbridge, in the Milk River Ridge country. Again, reserved only for hikers, except for forestry crews. By the way, provincial government forestry workers were at fault on the Kootenay Plains, a few years ago, by not cleaning out garbage cans from one David Thompson Cavalcade until the next one, a year later. Wardens had to be called in to destroy bears, because of the lack of attention to garbage cans by forestry crews.

For over twenty years I acted as unpaid custodian of a 210 acre Gaetz Lake Sanctuary on the north-east boundary of the city. School children and other visitors were confined to a picnic spot on First Lake, but the real sanctuary was beyond that---and destroyed completely by the provincial government when they ran a sewer trunk line to the old Provincial Training School. I found that, in areas visited by the public, almost daily patrols were necessary to keep the areas clean. Such things as Kleenex, waxed paper sandwich wrappers, bags, cans, bottles, even filthy Kotex. In your department, you should already know that a bottle becomes a magnifying glass under the hot sun of summer and bottles have started many of the larger forest fires that have destroyed valuable timber in all four of the western province. Therefore you must expect to appoint token custodians, to keep the areas clean. And keep out the snowmobiles: here, they are used to kill deer and coyotes, and many farm fences have been cut and more No Trespassing signs have been put up because of snowmobiles than any other source of irritation.

Yours truly,

Kerry Wood
Kerry Wood, L.L.D.

A BRIEF ON THE WILDERNESS AREA ACT

This brief is to verify the wishes and views of our Red Deer Alberta Natural History Society and of two of the Directors of the Federation of Alberta Naturalists to proclaim our support to the Wilderness Act as we feel it should be worded also in the interest of our natural heritage of the unaltered wilderness as it stands today.

Supporting me tonight is Mrs. Harris also a Director for the Federation of Alberta Naturalists. We feel a deep regret and concern over some of our recent exploitations of our wilderness and park areas which we as naturalists and as a nature society have vigorously protected. One of our greatest heritages is the right and privilege to enjoy the peace and inspiration of the quiet wilderness away from human sound and mechanical noises - use of snowmobiles.

We feel our decisions and protests cannot be made too soon or too strongly to support the welfare of those wilderness areas.

Alberta Natural History Society

F.A.N. Directors,

Mrs. E. Scoular, President.

BRIEF IN FAVOR OF WILDERNESS ACT BILL 106 JULY 1970

12
22

In support of this Act I would like to express my opinion.

I feel we are in need of such an Act without delay, But it must read so as to protect these few existing Area's from all future destruction. First: would be to prohibit the use of all motor driven vehicles in these Area's except for emergencies involving the safty of people, controlling deseases, and forest fire. (There are many types of recreation which can be enjoyed without the use of motors) and as the years go by there will be a greater demand than ever for this type of recreation.

Second: there should be a penalty provided for person or persons entering these Area's with a motor driven vehicle, and for any damage done to the Area's natural state.

Kenneth Raivio

Cremona, Alberta

(25)
25

BRIEF IN FAVOR OF WILDERNESS ACT BILL 106 JULY 1970

In support of proposed wilderness Act, I suggest the Act be written to completely stop any further damage to these few remaining bits of wilderness.

No. 1: Would be to pass a law prohibiting the use of all motor driven vehicles in these area's except: for the extinguishing of forest fires, disease among wildlife and vegetation, and for the rescue of sick or injured persons.

No. 2: That all recreational activities be allowed, providing it does not disrupt the natural state of the Area.

Stanley Pearson

Markerville, Alberta

BRIEF IN FAVOR OF WILDERNESS AREA ACT BILL 106 JULY 1970

24

In giving my support to the idea of Wilderness Area's, I suggest that the Act be written to ensure that:

1) There be no motor driven vehicles of any kind allowed anywhere within the set boundrie's, Except:

A) For fire control.

B) To control decease among animals and trees.

C) For rescue of crittically ill, or injured persons.

2) All recreational activities be allowed that does not interfere with the natural beauty of the Area, By:

A) The felling of live trees.

B) Poluting of streams.

C) Litterang.

D) The general Misuse of campsites Ect.

Clarence Kaivio

Box 752

Rocky Mountain House, Alberta

BRIEF IN FAVOR OF WILDERNESS ACT BILL 10 JULY 1973

(2)
25

I support the idea of Wilderness Areas, and suggest that the Act be written to ensure that:

- 1) No motor driven vehicles be allowed in the Wilderness Areas except for the extinguishing of Forest Fires, control of disease which might occur among animals or vegetation, or for emergencies involving health or safety of persons.
- 2) No type of recreation be disallowed in the Wilderness Areas providing it be done without motor driven vehicles or any damage to the natural environment such as cutting of live trees, pollution of streams, littering etc.

Chester Sands,
RR #1,
Rocky Mtn. House, Alta.

?

(26)

July 28, 1970.

A BRIEF TO THE COMMITTEE ON
THE ALBERTA WILDERNESS ACT

By Henry Lembicz
3526 - Spruce Drive,
Red Deer, Alberta.

MR. CHAIRMAN and distinguished members of the committee. It is an honor and a duty in a Democratic Society to criticize and offer alternatives, to evaluate, present suggestions and provide information. For this opportunity I must thank our capable Minister of Lands & Forests, Hon. J. Donovan Ross and the government of our great Province for setting up a committee to discuss the proposed Wilderness Act and Bill 106.

I recognize the wishes of the Alberta Fish & Game Association and abide by the majority decisions of the Association, but wish to present this brief as an individual because there may be value in some of the thoughts that I shall express.

To qualify for presentation of opinions I point to some thirty years as a member of the Alberta Fish & Game Association and a voting delegate of the Canadian Wildlife Federation for three years. My occupation as a Farmer taught me to love the land, water, sun and rebirth of life. I found that understanding and co-operating with God's Great Plan had many advantages. I have been a member of The Wilderness Society, Washington D. C. for a number of years.

At this time I recommend that Parkland and Prairie wilderness areas be given urgent consideration and early action as we have no area set aside with such character. We do have National Parks.

BILL 106, AN ACT RESPECTING WILDERNESS AREAS.

In studying this Bill I must congratulate our Minister of Lands & Forests for many worthy and practical recommendations. In my opinion, the Bill describes the purpose and the use of such areas very well with a few exceptions.

The amendments I would suggest will be to strike out Lieutenant Governor in Council and add LEGISLATURE in Section 3, sub-section (1). Reason: Wilderness Areas are important enough to require legislative decision.

Section 5, sub-section (b) add "withdrawals of land to require a two thirds majority vote. Reason: Pressures for withdrawals usually are greater than that for additions.

In section 7 sub-section (b) strike out "for the maintenance of stable watershed conditions. Reason: The basic principle of a wilderness area is to set aside an area of land to remain as God created it. This means no alterations by mankind.

Section 8 and 9 to be struck out as they have no place in a true Wilderness Act. Mineral or other development in an area disqualifies the area as a wilderness area.

I suggest that where, a lease has been granted prior to the setting up of the wilderness area that the transaction be considered as a mistake. Mistakes are usually paid for by reimbursing the lessee for the equity he has contributed in obtaining the lease. I feel confident that most companies involved will co-operate freely. The same method would apply for permits, rights etc.

In section II subsection (1) to be struck out as it is not applicable. Further in section II sub-section (b) add the words "camping and hunting of game animals. Hunting not to be allowed unless there is qualified evidence of danger, of considerable starvation or much loss

from disease of game animals. Hunting to be done without disturbing the tranquillity of the area. A special hunting license to apply to this area.

MINERAL DEVELOPMENT IN THE WILDERNESS AREAS

This subject should be studied very thoroughly as in the past it has had an impact on decisions. To my knowledge there is only one reason for the extraction of minerals in Wilderness Areas and that is economic. There is no shortage at the present time or in the near future of oil and gas or other important minerals in Alberta. Economic reasons alone, is not a sufficient reason to destroy any of the characters of a wilderness area.

The health and happiness of the people of Alberta is the important goal to strive for. There is no evidence to prove that money increases the happiness of people. Comforts obtained by too much money tends to deteriorate physical qualities and removes the reason for intellectual and physical development. There are a few exceptions.

The development of our mineral resources has a damaging effect on the Natural terrian and increases the pollution of our environment. Material possessions are not the only ingredients necessary for a happy life.

There is reason to believe, that if money is the important thing, then it is possible that over many years, wilderness areas will be sufficiently alluring to attract more money to our province than the short lasting development of minerals. If this be the case, the minerals will be there if we really must develop them. I do not see any reason why we should think we are the chosen generation that must develop all the mineral resources in Alberta.

In my opinion, pollution and the threat of pollution would be sufficient reason to discourage industry in a wilderness area.

SEMI-WILDERNESS AREAS

Before leaving the subject of wilderness areas something should be said about our Semi-Wilderness Areas in the Rocky Mountain Forest Reserves.

Many years ago the Alberta Fish & Game Association registered grave concern in regards to over 20,000 head of domestic livestock grazing in the Forest Reserves. In 1958 I presented a brief to the Alberta Federation of Agriculture pointing out the need to gradually remove this livestock to the agricultural areas to encourage the growing of more pasture and hay crops, thus reducing the surplus cereal crops. This action would increase the natural fertility of the soil and stabilize the family farm, by bringing about a mixed farm production. The futility of subsidizing uneconomic farms by grazing cattle in the forest reserves was stressed. I also pointed out the damaging effect the grazing of livestock would have on water conservation and recreation, the prime use for the forest reserves.

At that time many of these points were not visible to people, Today such early concerns are looming up as real problems. We find our Governments subsidizing farmers to take land out of cereal crop production by summerfallow and seeding land to forage crops. Livestock should be in the agricultural areas to utilize the forage crops, yet many are still grazing in our forest reserves. The uneconomic units are being discouraged with a drastic decrease in the family farm numbers with an increase of population in our cities with more welfare cases and pollution problems. With increased population in our cities there is a need for more recreation areas. Many people enjoy and need to periodically get away from the stress of crowds. The greatest potential we have for recreation is our forest reserves. Yet the number of livestock grazing in the area remain.

At the present time other damaging intrusions are taking place such as mineral development and visible on the horizon is a railway and residential areas to accomodate industry. Livestock grazing and mineral development does not compliment water conservation and recreation.

With all these intrusions planning for the Forest Reserves must be given more serious study and action. The economic value of industry in the area may not be as attractive as the economic value from water conservation and recreation, whereby none of the qualities of the forest reserve area are destroyed.

In conclusion, I would like to leave this thought. God in His Great Plan for our world has created an environment of living organisms. With one exception this environment would continually balance itself through complementary actions of all segments of life. The exception in the environment is man who God has given superior intelligence where- as he has the capacity that is capable of unbalancing the whole Plan. Therefore God has invested in man, not only a great gift but a great responsibility. Man has accepted the gift, especially that of the environment, but he has not accepted his responsibility. A point of reference is mans pollution everywhere in our world.

Surely in appreciation, and recognition of a generous God, we can set aside a few small portions of terrrian, called Wilderness Areas, where His creation's are not altered by man. These areas could be a symbol of faith to mankind, now and in the future, that there is a great power that we can reach to in case of need.

TO THE COMMITTEE ON
THE ALBERTA WILDERNESS ACT

July 28, 1970

Mr. Chairman and distinguished members of the committee:

To me a Wilderness Area is an area set aside for the purpose of all men to visit; where there is tranquility, peace, aesthetic values, to view and enjoy nature as it was before man exploited our virgin territories.

There will be no industry, no mining, dams, harmful chemicals, hunting, motor vehicles or any man made noise pollution in this area.

Hunting will be done only with cameras.

All else makes the name "Wilderness Areas" a farce where later reviews or pressures can make them into nothing but ordinary parks.

There will be no industries, no mining, no timber cut, no dams, no harmful chemicals, no hunting in my wilderness area.

There will be only the sounds of nature as God has created it.

Respectfully submitted,

Gladys Lembicz,

3526 Spruce Drive,

Red Deer, Alberta.

1021 - 4 Avenue S. W.
Calgary, Alberta
July 29, 1970

Dr. V. A. Wood
Deputy Minister of Lands & Forests

Dear Dr. Wood:

I am pleased to have the opportunity to express some of my views on the "Wilderness Act" (Bill 106) For Alberta.

The different types of areas that should be kept for Wilderness Areas in my opinion are:

Some foothill areas, some prairie areas, and some muskeg areas. These areas should be kept as Wilderness areas, because there are so many people of all ages that like to be able to enjoy the different types of nature as it really is. Also these areas should be situated so people won't have to go too far to see these places.

Wilderness Areas make it possible for us to see the wild animals and birds in their natural habitat. People can go for walks and get away from the more crowded population for a relaxing while. Hiking and mountain climbing are both popular and should not be done away with, by the lack of places for this. Boating and fishing are a popular passtime for many on weekends and holidays. Photography of the different parts of the Province as it is in its natural state, is interesting as a hobby, and also educational.

Wilderness Areas should be kept free of industry which will destroy it, and make it into an industrial area. Strip mining should not be allowed as it destroys large areas of the beautiful mountains. This takes some of the animals further away, so that you cannot see them while out for a scenic drive.

It is important for these areas to be set aside now while they still exist, and something can be done with them. Wilderness Areas should be set aside on a permanent basis. As the motto of the "Calgary Fish & Game Ass." so aptly puts it "May our Sons Enjoy Tomorrow What We Conserve Today"

Yours very truly,

Lenora McCuaig

Miss Lenora McCuaig

Wilderness Areas were established for the purpose of preserving their natural beauty and wilderness character, and protecting them from impairment caused by settlement, industrial development or any other form of disfigurement thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations.

In order to ensure this we, the general public, are restricted to traveling in these areas on foot, horse or water only, and rightly so if this applied to everyone, but it does not, as it seems oil, coal, gas or any other industrial company are allowed to use any mode of travel they wish in their exploration and working activities.

This is defeating the whole purpose of preserving the area reserved as a Wilderness section, and if it is allowed to continue the term wilderness area is sheer mockery, and the people of Alberta are being deprived of their natural heritage, which has already taken place in our forest reserves by oil companies, cattle grazing, coal mining, and any other industry that may contribute toward the coffers of a dollar hungry government.

This is being carried out under the guise of progress, but desecration of land intended to be left in its natural state for us and future generations is anything but progress.

Waste, through ill planned use of resources has been a disgrace and still continues under the guise of progress.

Politicians mostly, seem blind to the values of wild life and wilderness areas in regard to the tourist industry for they continue to spend our vital resources for a mess of pottage.

Provided they are protected, the simple dollar value of these areas projected into the future for decades or even a hundred years would seem an overriding factor to the present apparent policy of permitting industry to invade and scar them beyond recovery.

Respectfully submitted

Bill Ditchburn
Box. 492 Innisfail

Alberta Wilderness Association

Innisfail Fish & Game Association

WILDERNESS AREA

A Wilderness area consists of a piece of land in a certain area in the wilds. That should be left entirely as it is, by that I mean no improvements of any kind should be done.

Also, no developments for oil, lumber or coal, or other resources, should take place.

As I see it now, there is Wilderness areas that are being developed for coal, lumber and oil. That will spoil the land for our natural resources as they are. By this it is to be understood the land in the Wilderness Areas at all times should be left entirely alone for the Wild Life that have to have some place to rear their young. If there is to be any in the years to come.

If there is any way at all for the Government of Alberta or any other part of the Legislative Assembly, in the near future to stop the Development of these ~~Wilderness~~ Areas for no other reason than, for the few dollars that is there, I hope this series of meetings will bring to light the need of our Natural Resources, as they now stand and in the years to come.

Last, but not least, in a Wilderness Area, there should be not cattle grazing by the ranchers and farmers in the area. I see this as no kick back to these two groups and with no hard feelings, I close, and hope to be able to stay on friendly terms as before.

John. E. M. Coy.

Box 1143.

Wetaskineui

Alberta

Wilderness Areas - Crown land set aside for wildlife refuge, with roads only used for fire prevention and control.

Land described as a wilderness area should be controlled by 2/3 vote of the legislative assembly.

There should be no withdrawals from any existing or future existing Wilderness areas by anyone powered to do so.

There should be public hearings whenever necessary for the purpose of establishing NEW wilderness areas and for the addition of land to the existing ones.

The only maintenance there should be in Wilderness areas is for police patrolling and fire control.

There should be no further mining, lumbering, or oil development in Wilderness areas. Any existing lumbering or mineral development should be stopped and all existing leases should be purchased back by the government.

The government should construct fire roads only in Wilderness areas.

No domestic animals or human occupancy should be allowed in the wilderness areas.

Anyone damaging wilderness areas should be made a public example.

No one should be allowed to travel in wilderness areas.

Oth Bennek

Box 474

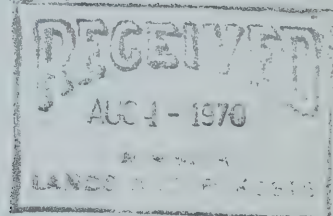
Wetaskiwin, Alta.

FRIZZELL'S TRAILER CITY

5029 - 34th STREET,
RED DEER, ALBERTA

July 30th., 1970.

Dr. Donovan J. Ross,
Minister of Lands & Forests,
Edmonton, Alta.



Dear Sir: Re: Bill 106

Pertaining to paragraph 4 which defines a wilderness area and its purposes, is what the people of Alberta wanted when they asked for a wilderness area.

In paragraph 9, subsection 2, this, if enacted would absolutely destroy it as a wilderness area. I believe if it is to be a wilderness area, that is exactly what it should be. Even prior commitments pertaining to all commercial enterprises should be cancelled, even if it means re-imburseing these companys by our government.

Thank you.

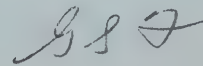
Yours respectfully,


G.S. Frizzell.

P.S..

Sir:

As I was unable to be present at the Red Deer hearing I have taken the liberty to forward this to your office.



PROPOSED WILDERNESS AREAS ACT

BRIEFS PRESENTED AT

EDMONTON

AUGUST 4, 1970

(1)

SUBMISSION
of the
ALBERTA FEDERATION OF LABOUR, CLC
to the
COMMITTEE
ESTABLISHED TO HOLD HEARINGS
regarding
BILL 106
AN ACT RESPECTING
WILDERNESS AREAS

04/08/70



OFFICERS OF THE
ALBERTA FEDERATION OF LABOUR, CLC

1969 - 1970

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Medicine Hat Labour Council	J. Driscoll	#6, Arcade Building Medicine Hat
Red Deer Labour Council	L. Hewson	5958 West Park Crescent Red Deer

STAFF

Executive Secretary	E. Mitchell	306, 11010-142 Street Edmonton
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Gentlemen:

The Alberta Federation of Labour is grateful for the opportunity to appear before your committee to present our views on the proposed legislation regarding Wilderness Areas in the Province of Alberta.

The Alberta Federation of Labour represents some 60,000 members, and therefore voices the concern of a sizeable portion of Alberta's population.

A number of resolutions which have been passed at the Conventions of our Federation reflect the policies of organized labour and are attached for your perusal. While some of these resolutions are not directly concerning Wilderness Areas per se, we feel they are closely related.

While we welcome the introduction of Bill 106, there are a number of sections which could be improved upon, thereby making this a truly protective act for the Wilderness Areas in order that our natural heritage may be preserved for future generations.

Section 3

(1) Wilderness Areas should be established by the Legislature and not by the Lieutenant Governor in Council.

Section 4

Wilderness Areas should be more clearly defined.

Section 5

5e. Any recommendation for the withdrawal of land from a Wilderness Area should be disposed of only by the Legislature.

Section 6

There should not be provisions made for the withdrawal of land from Wilderness Areas.

Section 8

This section should provide for absolutely no entry to or disposition of land in any Wilderness Area because of prior commitments or for any other reason. How can the government be sincere about protecting Wilderness Areas when it allows loopholes in the legislation?

Section 9

There should be no exploitation or transmission of any minerals in or through a Wilderness Area. Once again, no loopholes should be allowed in the legislation.

Section 11

(2) (iv) should be deleted if Section 8 is changed.

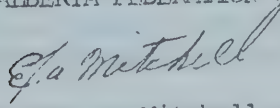
Section 12

This section should provide for restitution in addition to penalties.

Respectfully Submitted

On Behalf of the Officers of the

ALBERTA FEDERATION OF LABOUR, CLC



Eugene A. Mitchell, Executive Secretary

RESOLUTIONS PASSED AT CONVENTIONS OF THE

ALBERTA FEDERATION OF LABOUR, CLC

1968 Convention

- (1) WHEREAS the urban population of Alberta is increasing in a greater proportion to rural population, and
WHEREAS it is a traditional heritage for Albertans to enjoy outdoor life,
THEREFORE BE IT RESOLVED that the Alberta Federation of Labour press the Alberta Government to set aside more land for future Provincial Parks.
- (2) BE IT RESOLVED that the Alberta Federation of Labour urge the Alberta Government to definitely prohibit the formation of private game reserves.

1969 Convention

- (1) WHEREAS damage done by coal mining, especially strip mining, in Alberta has been most severe in the mountains, with devastation of scenery, pollution, and silting of streams by mine wastes, with extreme soil loss by increased erosion, and a loss of wild-life habitat, and
WHEREAS there are six Provincial Acts or regulations applying in one or another to regulations of coal mines in respect to watershed protection, pollution prevention and land restoration, and
WHEREAS the various agencies concerned with the administration of these various acts work at cross purposes with each other so that the end result is that no strip mine in the foothills of Alberta has ever been reclaimed and reseeded;
THEREFORE BE IT RESOLVED that we urge the Alberta Provincial Government to enact a single new statute controlling conservation and reclamation connected with all forms of mining.
- (2) WHEREAS coal mining in the mountains at the location of the watersheds creates an extreme hazard of pollution to mountain streams and rivers, and
WHEREAS destruction of the watersheds affects the health of people caused by the pollution of their drinking water, and
WHEREAS even with proper reclamation procedures after mining, it would be many years before the watersheds would be restored;
THEREFORE BE IT RESOLVED that we go on record as being strongly opposed to any mining in the watershed areas of the mountains unless watersheds are protected against any pollution.
- (3) WHEREAS three years ago the Provincial Government announced that it was considering a twenty year program of water conservation and diversion, and

WHEREAS this plan was supposed to guarantee the water-short areas, especially in East-Central Alberta, a supply adequate for industrial, farm and domestic use, and

WHEREAS this plan was called "The Prairie Rivers Improvement and Management Evaluation" (Prime)

THEREFORE BE IT RESOLVED that this convention of the Alberta Federation of Labour request the government to proceed with the plans as outlined so that our water resources can be safeguarded for present and future generations.

(4)

WHEREAS legislation passed at the last session of the Alberta legislature converted control of public road allowances from Provincial Authority to local government authority, and WHEREAS by so doing, the municipal district of Rockyview has now decided to close thirty-two road allowances leading to the Bow River, and

WHEREAS these road closures deny fishermen and picknickers the right to fish and enjoy themselves on the Bow River, and

WHEREAS this situation could affect access to all watercourses in Alberta, not only the Bow River, and

WHEREAS over 150,000 fishing licenses are issued yearly in Alberta, mostly to urban dwellers, so therefore these new regulations will seriously affect the pleasure of the people living in the urban areas;

THEREFORE BE IT RESOLVED that we urge the Alberta Provincial Government to return control of public road allowances to the Provincial Authorities.

1. All governments know, nothing is more powerful or more inescapable than an Idea whose TIME HAS COME.
2. The Idea of ecology or mans relationship to his enviroinment IS HERE and is also supported by powerful allies internationally united in a cause.
3. Where as the proposed Bill 106 is an excellent suggestion....Alberta is faced with a Total Enviroinmental Challenge...where the land, air and water is rapidly losing the ability to survive the effluence of our excesses.
4. We would like to be able to say that this is not happening in Alberta but evidence proves otherwise.
5. Our birds are struggling to bring forth eggs with shells on them and we await each new analysis of flesh animals and fish....hoping they will be fit for human consumption.
6. The demands on Alberta's natural resources are not going to diminish and the harvesting continues on much as it always has.
7. Society has been conditioned to become the perfect consumer...that is.. the most materially consumptive and wasteful the world has ever known.
8. The simple awariness to our plights does not guarentee the solution.
9. Dispite this conditioning and what some will call an imperfect educational system...this mid-20th century has produced unusually flexible and inquisiti minds. Minds that are shaping a new society and seriously questioning the values of the establishment.
10. To think that we can exist in a wholly permissive society or to say that elected officials are only as strong as the number of people who back them is to invite protests and violence. People are going to get hurt.
11. For this reason government must act...for there can only be an orderly development of society when we have laws.
12. The Idea of ecology is of course, only one of Alberta's concerns and there are others beyond enviroinment.
13. To be ultimately successful in our ecological efforts we must be speciafical aware of the relationship between quality enviroinment and employment.
14. Conservationists must make it perfectly clear that they are not out to increase the unemployment percentages in Alberta.
15. Total invoirmental quality means resource development, employment, stablized property values and a profit return from increased areas of taxation from the natural resource harvesting areas.
16. It is now generally accepted that the vast challange of our era occurs in the competition of extracting natural resources cheaper than someone else can extract a like resource. It is this competition to extract cheaply, so that the extractor can profit, and we can consume more cheaply that has created many of our enviroinmental disasters.
17. In order to end this a new system must be designed either to remove this natural resources competition from extraction or enforce ground rules that require the game to be played in a manner that will not destroy life.

*Philosophical
no dispute with Bill*

Jane C. Weaver
10904 - 126th Street
Edmonton 40, Alberta.
454-6723

18. We can have resources development and conservation...it requires decisive responsibility, new values and improved standards.
19. No morally responsible Albertan can accept the chewing up of Alberta by big machines but it is acceptable to have the big machines operated intelligently by employed men.....and to employ men to reshape the land and employ men to restore life to that land.
20. Government and citizens alike must not allow anyone to use unemployment or economics as a crutch to defeat conservation or resources development.
21. To augment the purposes and ideals of the proposed Bill 106 of the Legislative Assembly of Alberta it is recommended that consideration be given to ...
22. A Total Environment Quality Act...to provide for the conservation of Land, Air and Water resources of Alberta and providing for preservation, abatement and control of Land, Air and Water Pollution and providing penalty for violation.
23. That the act establish...or...the Province state...a board whose duty it shall be to enforce all of the provisions of the Act and that...
24. Should the board fail to enforce such provisions any citizen of the Province of Alberta may commence an action in an appropriate court requiring the board to perform its duty.
25. We are confident that with a Total Environmental Quality Act...industry would be pleased to uphold these governmental regulations as long as they guarantee equal competition.
26. From industry to house-wife none can do anything realistically on their own.
27. For this reason government must act...there must be laws requiring everyone to comply to clearly defined environmental standards and controls.
28. Strong support can only be achieved after government acts.
29. We appreciate the opportunity of these hearings and know they will surely effect the future of Alberta. We have been given much and in great measure. Our commitment to Alberta in return must be in equal measure.
30. Today this Province is as equipped as never before to prove....

ALBERTA, is the, LAND FOR LIVING.

Jane C. Weaver
10904 - 126th Street
Edmonton 40, Alberta
454-6725

Association represented:-
D A W N

W(3)

(2)

COMMENTS AND SUGGESTIONS REGARDING BILL 106, AN ACT RESPECTING
WILDERNESS AREAS

1. In the interest of the public and the environment, it is suggested that the advisory committee include:

An Ecologist, an Ornithologist, A Zoologist, a Botanist (preferably a forestry expert), a Toxicologist (to report on the levels of contaminants and poisons in lakes and rivers), a Geneticist, an Entomologist, and four private citizens (two male, two female).

The members of the board should not be industrially associated and should be chosen from various areas of the province for a term of office of predetermined duration. The board should meet possibly four times per year and should report to the legislative assembly. The report should be published in the newspaper.

2. Under section #9 of the act, there are no clauses stipulating what safety precautions and standards are to be met by companies which apply for permits.

3. The act fails to provide adequate protection for wildlife within wilderness areas. The word "animal" is mentioned only twice in the entire act (sections 7 and 12). Specific, detailed clauses should be introduced into the act for maximum preservation of wildlife (see: Proposals for the Protection of Wilderness Areas and Endangered Wildlife).

4. The penalties and fines listed under sections 11 and 12 are totally inadequate to provide a significant deterrent to the damage or destruction of wilderness areas and/or wildlife (see section 1 and other sections of Proposals for the Protection of Wilderness Areas and Endangered Wildlife).

Philosophical

PROPOSALS FOR THE PROTECTION OF WILDERNESS AREAS AND ENDANGERED WILDLIFE

1. Severe penalties should be imposed and ENFORCED upon polluters of the earth's land, air or water. Fines levied upon offending industries and manufacturers must be of a magnitude whereby it would be cheaper for the offender to cooperate in treating or trapping its effluents than it would be to continue its delinquency. In extreme cases, the offender should be required to discontinue operations until satisfactory treatment facilities are installed. If offenders fail to comply, any citizen of the province should be able to commence an action in the appropriate court, requiring the proper authorities to perform their duty. Individual persons convicted of littering or fouling the environment should be severely fined.
2. The construction of dams and pipelines or the undertaking of other major operations should not occur without proper PLANNING, FORESIGHT and SAFETY MEASURES. A panel of Ecologists, hydrologists and other specialists should always be consulted to reduce the chance of further recurrence of incidents such as the Athabasca Delta situation.
3. Where leases for strip mining, etc. are granted, the cost of reclamation of the area should be paid for IN ADVANCE before any operations are permitted to commence.
4. Exploitation of National Parks should not be allowed.
5. An increasing number of forested areas should be set aside as protected wilderness. Trees with a maturation period greater than from 50 to 100 years, should not be cut down. Where trees are cut down, replanting should be mandatory.
6. Emergency crews should be formed for the purpose of dealing with oil spills and similar hazards. Cleanup costs should be charged to the offending company.
7. Safety devices should be installed at intervals along pipelines to sense any changes in pressure resulting from bursts or leaks in the pipeline. Automatic valves could then stop the flow of oil until the leak is found and repaired.
8. INTENSE research should commence immediately, into Biological control of pests as an alternative to chemical control.
9. Severe penalties should be imposed and enforced for the illegal exportation of Falcons or similarly endangered animals. Penalties should include an automatic heavy fine, plus confiscation of any money received from previous exportations, plus imprisonment.
10. The sale or importation of furs or skins of rare and endangered species should be prohibited. This ban should especially cover the Cheetah, Tiger, Leopard and American Alligator. A team of zoologists should meet at regular intervals to review the list of endangered species and make recommendations regarding import restrictions.
11. The sale or importation of rare and exotic pets should be severely restricted and subject to the issuing of permits. Permits should not be issued without review of the purpose for the importation and the qualifications of the applicant to provide proper care for the health and well being of the pet.
12. All predators should be taken off the vermin list and RECLASSIFIED as game species. We must recognize, as knowledgeable Biologists do, that predators play an important role in maintaining the balance of nature and in preserving the forest and its creatures. Any predator proven to be a nuisance to a farmer or rancher, should be controlled by a government

official using a rifle. The use of poison as a control medium should be avoided at all cost.

13. Severe restrictions should be placed upon the sale or distribution of strychnine , compound 1080 and similar poisons.
14. Endangered species of wildlife should be protected by law. A team of Zoologists should meet at regular intervals to analyse population figures and review the list of endangered species.
15. Written and practical examinations should be required of any person wishing to purchase a hunting licence or a firearm. Misuse of firearms or hunting privileges should result in a confiscation of firearms and a suspension of the hunting licence.
16. Severe penalties should be imposed and enforced for the misuse of snow vehicles. The chasing, harassing or running over of wild or domestic animals with snow vehicles should result in permanent confiscation of the vehicle, plus a fine and/or imprisonment.
17. The subject of Ecology should be introduced as a MAJOR subject in schools and universities.

David Roles
President,
Defenders And Wardens of Nature

BIOMASS

OR BIOMESS???

ECOLOGICAL QUOTES

In this period of evolution the wild heritage of the human race needs for its protection the active help and sympathy of every civilised man. I am convinced that, as we progress further into an age governed by the "machine", our hunger for the unspoilt beauty of nature is going to increase and that it would be a tragedy if there were nothing left with which to satisfy that hunger.

It is the plain duty of man to guard and to protect what is at his mercy, and at the same time guarantee the survival of creatures which have so much to contribute to his knowledge and pleasure.

George Adamson

The conservation of wildlife and wild places calls for specialist knowledge, trained manpower, and money, and we look to other nations to cooperate in this important task, the success or failure of which not only affects the continent of Africa, but the rest of the world as well.

His Royal Highness, The Prince Philip, Duke of Edinburgh

Either we will eliminate pollution from our cities, or pollution will eliminate the cities. The choice is that clear; so is the need to act.

Robert Kennedy

Learn to live with nature, not in spite of it.

Deborah Smith

There shall be nothing on the earth, under the earth and in the water that will not be pursued, molested or destroyed.

Leonardo Da Vinci, 1500

Hell hath no fury like mother nature scorned.

D. Roles

Homo sapiens may have the most highly developed brain of any living thing, he may be able to reason, to choose between alternatives, but this does not mean that he has the RIGHT to exterminate other species of animals.

Nigel Sitwell, World Wildlife Fund

A thing of beauty is a joy forever.

Keats

Beware of men who would slaughter the wolves so they may kill more deer.

Farley Mowat

We have met the enemy and he is us.

Walt Kelly

He cleans up the unfound road kills and the deer carcasses left by hunters. He is charged with killing quail, pheasants, partridges, and songbirds, but let's review the evidence from the stomachs of coyotes which have been cut open on laboratory tables. The U.S. Biological Survey examined some 8,200 coyote stomachs and found that their staple food was rodents, meadow and field mice, rats, squirrels, gophers and rabbits. Insects were found in abundance, often coyote stomachs contained nothing but grasshoppers. The point is that individual cases are not necessarily significant in judging the over-all population effects of a predator on its prey.

Control the coyote? Certainly, when he is actually damaging the crops of man, but let's not do it wholesale, when the bellies of thousands of his kind have proven that he is a valuable asset to mankind.

Carl Marty

...A control program. First you control the predators -- that is, poison and trap as many coyotes, lions, bobcats, foxes, badgers, hawks, vultures and eagles as possible. Then when the predators have been sufficiently reduced in number and the rodents begin to multiply, in geometric progression as is their wont, you have to control THEM -- that is, trap and poison as many mice, rats, gophers, rabbits, hares, skunks, porcupines, squirrels and chipmunks as possible. At the end of a satisfactory control program you should have eliminated all the wildlife except the deer, which are reserved for the licensed deer-slayers. That's the Division of Wildlife Services.

Edward Abbey

During the past decade the bounties have been replaced with government poison programs in all provinces west of Ontario. During the period from 1955 to 1960 the campaigns were very intensive and British Columbia attempted to exterminate wolves over large areas. Strychnine and a very deadly poison, Sodium Fluoroacetate (compound 1080), were very widely used. The poisoned baits were sometimes dropped from the air in inaccessible areas. Where aircraft could land, poison bait stations were established or frozen lakes.

The lack of regard that Canadians have had for wolves is evidenced by the treatment they have received in parks. In Banff and Jasper National parks they were shot on sight by rangers and now appear to have been exterminated. For over sixty years the principal winter activity of wardens in Algonquin Provincial Park was the killing of wolves. They were even paid the provincial bounty for each animal they killed. Wardens of the National Capital Park on the edge of Ottawa, have recently been trained in methods of killing wolves and seek to kill those which occur in the Park.

The wolf poses one of the most important conservation questions of our time. Will the species still exist when the twentieth century passes into history? Or will man have exterminated the wolf as a final demonstration of his "conquest" of the wilderness and of wild things that dare to compete or conflict with him?

Dr. Douglas H. Pimlott

As Thoreau suggested, all living things are better off alive than dead, be they man, moose or pine tree. And as John Muir believed, man cannot even survive without the wilderness to freshen his mind and revive his

perception. We are but the ephemera of the moment, the brief custodians of redwoods, which were ancient when Christ was born, and of the birds of the air and animals of the forest which have been evolving for countless millennia. We do not own the land we abuse, or the lakes and streams we pollute or the raccoons and the otters which we persecute. Those who play God in destroying any form of life are tampering with a master plan too intricate for any of us to understand. All that we can do is to aid that great plan and to keep part of our planet habitable. The greatest predator on earth is man himself, and we must look inward to destroy the killer instinct which may yet atomize the human race. Our morality must be extended to every living thing upon our globe, and we must amend the Golden Rule to read: "Do unto all other creatures as you would have them do unto you!"

Sterling North

DID YOU KNOW THAT:

Texas Guano bats consume 13,200,000 lbs. of insects per annum?

The decline in the populations of birds of prey is due not to one, but to several causes including: pesticides, shooting, bootlegging, predator "control" programmes, and environmental destruction?

There are two kinds of people polluting our planet; those who foul our land, air, and water and those who allow it.

We have Strontium 90 in our bones, asbestos in our lungs, iodine 131 in our **thyroids**, DDT in our fat, and rocks in our heads?

Beavers have been known to fell trees five feet in diameter and 100 feet high and have built dams as long as 2,000 feet?

Prior to the brainstorms of Homo sapiens, nature had already invented: electricity, nuclear energy, masers, lenses, automatic exposure control, infra red sensors, sonar, jet propulsion, flight, pumps, valves, shock absorbers, camouflage and dams?

There are no documented cases of wolves or cougars having killed anyone in North America?

In the past century Canada alone has spent some \$6,000,000 on a wolf eradication program, often in areas where moose were so plentiful they were dying of starvation?

In this decade the world spending on militarism is expected to reach \$4,000,000,000,000.00?

Four trillion dollars is enough money to circle the earth approximately fifteen thousand one hundred and fifty times with a ribbon of dollar bills?

That it is "not economically feasible" to save our environment?

That Homo sapiens means "Man the wise?"

RECOMMENDED ECOLOGICAL READING

Scientific American Magazine:

Woodwell, G.M. "Toxic Substances and Ecological Cycles," March 1967
Vol. 216 #3

Clark, John. "Thermal Pollution and Aquatic Life," March 1969 Vol. 220 #3

Alexander, Archibald. "The Cost of World Armaments," Oct. 1969 Vol. 221 #4

Peakall, David. "Pesticides and the Reproduction of Birds," April 1970
Vol. 222 #4

Meselson, Matthew. "Chemical and Biological Weapons," May 1970 Vol. 222 #5

Life Magazine:

Morris, Desmond. "Shame of the Naked Cage," November 8, 1968 Vol. 65 #19

"The Dirty Dilemma of Oil Spills," March 6, 1970 Vol. 68 #8

Abbey, Edward. "Let Us Now Praise Mountain Lions," March 13, 1970
Vol. 68 #9

Jackson, Donald. "Whose Wilderness," January 9, 1970 Vol. 68 #1

Time Magazine:

"Canada's Threatened Environment," June 29, 1970

National Geographic Magazine:

His Royal Highness, The Prince Philip, Duke of Edinburgh.

"Man's Wildlife Heritage Faces Extinction," November 1962 Vol. 122 #5

Animals Magazine:

Pruitt, William. "Northland In Peril;" DeWitt et al. "Emblem of Extinction;

Wright, Bruce. "The Seven Wild Cats of North America;" March 3, 1964
Vol. 3 #13

Harrison, Ruth. "Animal Machines;" Carson, Rachel. "A Shock To
Complacency;" April 28, 1964 Vol. 3 #21

Cramp, Stanle . "Pesticides and Wildlife," May 4, 1965 Vol. 6 #10

Books:

Carson, Rachel. Silent Spring, Fawcett Publications, Inc., Greenwich,
Conn.

Leinwand, Gerald. Air and Water Pollution, Simon & Schuster of Canada,
Ltd., Richmond Hill, Ontario

Adamson, Joy. Born Free, Living Free, Forever Free, The Spotted Sphinx,
Collins Press, London and Glasgow

Pimlott, Douglas H. and Rutter, Russell J. The World of the Wolf, J.B.
Lippincott Co. Philadelphia

Mowat, Farley. Never Cry Wolf, Dell Publishing Co., New York

ANNOUNCING THE FORMATION OF A NEW CONSERVATION SOCIETY
- the DEFENDERS AND WARDENS OF NATURE (D.A.W.N.) !

The Defenders And Wardens of Nature is a now, registered, non-profit conservation society dedicated to:
THE PRESERVATION OF OUR NATURAL ENVIRONMENT AND THE PROMOTION OF A GREATER UNDERSTANDING OF THE RELATIONSHIP AND INTERDEPENDENCE EXISTING AMONG ALL FORMS OF LIFE.

Objects of the society are:

To oppose pollution and environmental destruction.
To support legislation promoting the enforcement of strict anti-pollution measures.
To support legislation which would conserve wildlife and protect endangered species of fauna and flora.
To educate the public with regard to the necessity of preserving and protecting our natural heritage.
To promote kindness to animals.

The society motto:

Make nature a place for everything and leave everything in its place.

Membership:

Regular membership in the society is \$3.00 per year and is open to any person of any age, religion or race possessing an earnest desire to preserve and protect our natural heritage. Receipts are provided for any donations above the membership fee. Address all enquiries to:

Mr. David Roles
P.O. Box 3374, Station D
Edmonton, Alberta
Canada

Our newsletter:

The society newsletter will be called "The Rising Sun" and its frequency of publication will largely depend upon the funds available.

A word to the wise:

THE TIME TO ACT IS NOW AND THE NEED TO ACT SHOULD BE OBVIOUS. Whether we care to admit it or not, we are presently living on a dying planet! One hundred and forty billion TONS of pollutants and poisons are dispersed into the earth's atmosphere annually. This is accompanied by an equally incredible punishment of the earth's water resources. Countless billions of gallons of miscellaneous muck are being poured in a never-ending stream into the earth's streams, rivers, lakes and oceans. Constituents of this muck include: highly toxic chemicals, industrial waste, sewage and unimaginable garbage. The two most vital elements to all life as we know it are now the most threatened. Our abuse of nature is, unfortunately, not confined to air and water. At last count 853 species of animals occupied the "Endangered" list; thanks to a combination of greed, ignorance, carelessness, brutality and indifference.

You can help all conservation and anti-pollution societies to accomplish their formidable task of reversing present trends by:

1. Learning all you possibly can about pollution and conservation.
2. By using products which do not pose a threat to the environment.
3. By being kind to animals.
4. By setting a good example for others to follow.
5. By writing to political leaders and voicing your opinions on important aspects of ecology.

Join the march to save the Earth and make this the DAWNING of the Age of Ecology.

David Roles,
President D.A.W.N.

POLLUTION KILLS

KILL POLLUTION

BRIEF WITH REFERENCE
TO BILL 106, A PROPOSED
WILDERNESS AREAS ACT

Submitted By:

ALBERTA FOREST PRODUCTS ASSOCIATION
10428 - 123rd Street
EDMONTON, Alberta

August 4th, 1970

Jubilee Auditorium
EDMONTON, Alberta

We are pleased to have an opportunity to attend this public hearing and submit our comments on Bill 106, A Proposed Wilderness Areas Act.

The members of this Association are corporations and persons engaged in the manufacture of Forest Products. The 85 member mills represent almost 100% of the Quota holders in this province and Forest Management lease holders of over 1100 square miles of this form of lease. As such our members have a responsibility in management of forested lands under the above mentioned forms of tenure

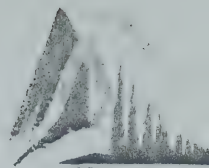
Trees are a renewable resource, and commercial forests are as vital to city dwellers as to the hiker, hunter and fisherman. Forest Industry Operations in this renewable resource are conducted within a Multiple use concept of land use. Many hundreds of miles of company built and maintained roads, in many cases providing the only access, and other facilities are used by hunters, fishermen and others for recreation purposes. Companies engaged in the forest products industry and those in other industries using Quota and Forest Management Lease Land areas for their purposes in many cases use common road systems, bridges and other facilities constructed through joint industry efforts.

In our support of the wilderness areas concept we generally agree with the remarks and recommendations presented

in the report submitted by the Canadian Institute of Forestry, Rocky Mountain Section. We are in agreement with the concept and recognize the need of setting aside public lands for single uses or no use at all, however, we in this regard stress the importance of a viable Advisory Committee to function as stipulated in Bill 106.

Within our industry we have many qualified persons including professional Foresters trained as land managers experienced in working in an environment similar to areas now set aside and proposed as Wilderness Areas. We would propose that in the establishment of the Advisory Committee on Wilderness Areas that consideration be given to appointment to the committee of such a person from this Association.

We have carefully reviewed Bill 106, 1970, A Proposed Wilderness Areas Act and state that we endorse and support this document as prepared.



VICTORIA STREET, TORONTO 1, ONTARIO TEL. EM-6-3494 (AREA CODE 416)

EDMONTON CHAPTER

13715 - 101 Avenue, Edmonton 40, Alta.

Denis O'Malley

5

BRIEF REGARDING BILL 106

INTRODUCTION:

In a province possessing large quantities of cheaply extractable energy and raw material resources, it should surprise no one that the preservation of land in an undisturbed state will require special support from the law.

Clearly then, those of us who view with dismay the imminent irreversible destruction of the last of our natural communities, should welcome enthusiastically any attempt to provide additional protection for these communities, under the law, in Alberta.

The EDMONTON CHAPTER of the NATIONAL AND PROVINCIAL PARKS ASSOCIATION OF CANADA, therefore, wishes to commend the Minister of Lands and Forests, Dr. J. Donovan Ross, for taking the far-sighted step of bringing forward Bill 106 'An Act respecting Wilderness Areas'.

THIS BRIEF contains the impressions received by the Edmonton Chapter of the NPPAC after a very short consideration of Bill 106. For that reason it should be considered as a discussion of alternatives and topics for further discussion rather than as rigid recommendations. We hope that such discussion will lead to improvements in the Bill and a continuation of consultations, and we urge the government to hold further meetings such as this.

The brief was not written by legislative draftsmen and therefore, does not propose changes of wording, attempting only to specify the intent which the Edmonton Chapter of the NPPAC hopes would be incorporated in future drafts of the Bill.

In order that the brief be comprehensible as read, it takes up the Act in four stages: first, the definition of 'Wilderness Area'; second, the areas available for establishment as wilderness under the proposed Act; third, procedures for establishment of a wilderness area; fourth, the protection provided established wilderness areas.

-2-

Benitz, Toronto, Ont.
Bruce, Toronto, Ont.
Conway, Puslinch, Ont.
Caggart Cowan, Vancouver, B.C.
Cragg, Calgary, Alta.
de la Sablonnière, s.j.,
real, P.Q.
Denis, Montreal, P.Q.
Downs, Surrey, B.C.

Alfred P. Frame, Toronto, Ont.
Robin Fraser, Toronto, Ont.
Roderick Haig-Brown,
Campbell River, B.C.
Stephen Herrero, Calgary, Alta.
Harry D. C. Hunter, Vancouver, B.C.
Francis H. Kortright, Toronto, Ont.
John Lammers, Whitehorse, Yukon

Charles S. Lennox, Toronto, Ont.
F. Aird Lewis, Toronto, Ont.
Norman A. M. MacKenzie,
Vancouver, B.C.
Duncan A. MacLulich, Waterloo, Ont.
James G. Nelson, Calgary, Alta.
Philip W. Oland, Lancaster, N.B.
Howard Paish, Vancouver, B.C.

Douglas H. Pimlott, Toronto, Ont.
Edward C. Plow, Oakfield, N.S.
William O. Pruitt, Jr., Winnipeg, Man.
James W. Thorsell, Vancouver, B.C.
Jennifer M. Walker, Winnipeg, Man.
Richard E. Warner, St. John's, Nfld.
Catharine Whyte, Banff, Alta.
Jack Williams, Ottawa, Ont.

I. DEFINITION OF 'WILDERNESS AREA'

This discussion concerns sections 2 (c), 2 (d), 3 and 4 of the Bill, and the explanatory notes to section 1.

The Edmonton Chapter of the NPPAC considers that defining wilderness areas as "...public lands within the areas described in a Schedule promulgated by the Lieutenant Governor in Council...." requires this legislation to specify rather more clearly what areas will be so chosen. This may be the purpose of section 4.

We would like to suggest that the Bill provide a test for wilderness, not in order to limit the areas which might fall under this Act, but to guide the establishment of wilderness areas in questions as to the size and nature of the land included. As an example, we submit the following first paragraph for Section 4:

"A wilderness area is an area in which man is only temporarily present, his technology and structures are absent, and the earth (and water) retain their primeval character and functions.

A wilderness area must be at least 5000 acres, or be of sufficient size or in a suitable location to make practicable the preservation of its wilderness character.

Wilderness character shall be judged not only by the state of the land but also by the experience of the visitor to its most central part."

The intent here is to convey the point that there is a minimum size necessary to retain the wilderness character of an area and that this size varies greatly according to the local ecosystem and visitor experience. Compare, if you will, the area necessary to sustain a wilderness area in prairie grassland to that necessary to sustain a wilderness area surrounding an eroding waterfall.

The usefulness of such guidance is to lend some continuity to the policy of whichever body will handle wilderness area administration.

II. LAND AVAILABLE FOR THE ESTABLISHMENT OF WILDERNESS AREAS.

This discussion concerns Section 8 of the Bill. The Edmonton Chapter of the NPPAC understands this section to mean that no wilderness area can be established from public land in which the government has a previous legal liability under any other act, until those previous liabilities lapse. This means that all the oil exploration leases, reserve areas for pulp and paper companies, and any other areas reserved under any other act for any purpose not consistent with wilderness preservation, would not be available to become part of a wilderness area, until such time as those previous agreements etc. were to lapse.

Previous legal liabilities could be discharged by being bought out by the Crown, by surrender of the holder or by exercising an option not to renew the obligation when the present commitment expires.

Could the government outline for the Hearing, and make available to the public, the area of land in the province which is removed from consideration as a wilderness area for the years 1972, 1975, 1980 and 1990 under agreements currently in effect and assuming that lessees take up their options to extend and government exercises all its options not to renew?

We do not wish to question the propriety of the government meeting obligations it has already made. On the other hand, we suggest that the act provide that, as areas become available, they automatically receive review as potential wilderness areas under the Act, and that such reviews be made public in the Alberta Gazette. With such an amendment the Act would have the effect of giving the people of Alberta first option on all land in the province, as it became available for the establishment of wilderness areas.

III. PROCEDURES FOR ESTABLISHING A WILDERNESS AREA

This discussion refers to Sections 2 (a), 2 (b), 3 (1), 5 and 6.

In brief, the Bill provides for an Advisory Committee on Wilderness Areas empowered to make recommendations to the Minister of Lands and Forests regarding the establishment of, addition to and withdrawal of wilderness areas. These recommendations are also to be referred to the Environment Conservation Authority, a body not defined in the Bill.

There are two important alternatives here regarding the powers of the administrative body to be used. The Advisory Committee suggested by the Act has no power to form a wilderness area unless the Minister and the Cabinet agree. It is not required to make its recommendations public in the Alberta Gazette and one may argue that its composition is of less consequence than the composition of the Cabinet. Nonetheless, it is a perfectly respectable alternative, although we would suggest that it be amended to require publication of recommendations in the Gazette and that the Environment Conservation Authority be removed from the Act.

On the other hand, wilderness areas could be established by an administrative body having legislative powers similar to those of the Oil and Gas Conservation Board.

The Wilderness Conservation Board, for instance, would decide matters of establishment etc. of wilderness areas and such decisions would be implemented, after a period, provided no appeal against the decision was forthcoming. Appeals would be direct to the Legislature. In this case the composition of the body becomes very important and the Legislation would include fairly strict provisions regarding ex officio members and members appointed by various bodies including the Cabinet. At least some members of the academic community in the areas of natural history might be expected to be included. Such a body could be so defined that we might agree that it was competent to add to or to delete from the area of land protected by this Act.

At this time the Edmonton Chapter of the NPPAC has not decided which of these alternatives to choose, but it should be noticed that both are stronger than the proposed Legislation.

Whichever is chosen, the administrative or advisory body, we suggest, ought to be protected from domination by interests which might be prejudicial to the Act and ought to have its decisions or recommendations Gazetted. Similarly, the setting aside of such recommendations or decisions should be Gazetted.

Despite our failure to decide which body to choose, we are convinced that Orders in Council are insufficient protection for wilderness areas and that they should therefore be established in the Legislature or by an administrative tribunal which allows appeal to the Legislature.

IV. PROTECTION PROVIDED BY ACT

This discussion concerns sections 7, 9, 10, 11, 12 and 13.

With regard to section 9, which appears to restrict the power of other Acts to commit wilderness areas to various users, we hope that the exception provided oil and gas pipelines by subsection (2) applies only for the recovery of oil or gas in the wilderness area and cannot permit pipelines to cross wilderness areas.

Section 10 appears to restrict the activities of the government and its agencies in wilderness areas and we hope that similar restrictions apply to private agents in this Act. On this point the Edmonton Chapter of the NPPAC would like to be reassured.

✓ We are concerned that the exceptions to prohibitions provided by subsection (2) of section 11 will at least require those exceptional users to exercise all efforts to do a minimum of damage to the wilderness.

In Section 12 we note no mention of the cost of restoring the natural conditions in existence prior to the offense, and hope that any Act would require offenders to pay these.

In conclusion, may we re-express our support in principle for the provision of protection to wilderness areas by legislation which this Bill attempts to provide.

Edmonton, August 4, 1970

EDMONTON CHAPTER of the
NATIONAL AND PROVINCIAL PARKS ASSOC. OF CANADA.

(Submitted by the Vegreville Fish and Game and Gun Club)

The following sections are found to be unsatisfactory:

Section 3: Subsection (1) - Lands to become wilderness areas need not be limited to public land.

Section 4: This section should contain a detailed definition of what constitutes a wilderness area in terms of size, number, and location.

Section 5: (1) The Alberta Fish and Game Club should be represented on the Advisory Committee on Wilderness Areas.

Section 5: Subsection (5) (c) - Withdrawal of lands from wilderness designation must take place on the floor of the Legislature by amending the Act. People will then learn of the changes and have the opportunity to voice their opinions.

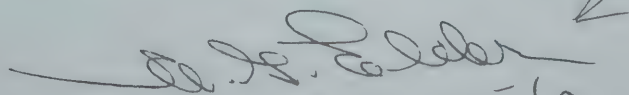
Section 8: The opportunity for exploitative intrusion should be eliminated by overruling the Right of Entry Arbitration Act and making provision for expropriation and the buying back of old leases, permits, rights, etc..

Section 11: Subsection (1) (b) should be deleted because by exception it eliminates many reasonable activities within a wilderness area.

Section 11: Subsection (1) (c) should specify a minimum ceiling for flights over a wilderness area.

Section 11: Subsection (3) should provide for restitution as well as penalties.

Section 12: Must provide for restitution in addition to penalties.


P.O. Box 1256
Vegreville

Canadian Family Camping Federation Inc. Alberta Area Brief
On The Alberta Wilderness Act. Bill 160.
Submitted August 4, 1970

Canadian Family Camping Federation Inc. with the purposes and objectives as laid down in the attached leaflet, hereby through our own Provincial Committee (Alberta area) and Prov. Camping and Campsite Chairman on behalf of our national board and the membership, submit this brief, which outlines our proposals in relation to Bill 160, known as the Alberta Wilderness Act.

Basically we feel that this Act is a good one and that it gives the Alberta Lands and Forests Dept, more power over and above what they have had in the past with which to over-rule the Oil and Gas Conservation Act, 1949, the Pipe Lines Act, 1958 and the Mines and Minerals Act, 1962, BUT IT DOES NOT GO FAR ENOUGH. To conserve a wilderness (any wilderness) or to rebuild any we have had in the past that have been lost due to poor (lousy) mining and forest harvesting practices.

We also feel that any area which is cleared by the forest and coal industry, regardless of where it might be in Alberta, should be immediately reforested by a planned program as soon as the operations of the harvest have ceased in that area, (or portion thereof) by THE TREE FARMING OR PLANTING METHOD, and not just by chance (BY LUCK OR BY GOD) seeding from nearby harvested trees or stripes of trees as is now done in the Hinton area.

As far as CAMPING is concerned in the wilderness areas, we feel that it should be permitted outside of the established campsites as well as in them WHEN and WHERE it is safe to do so in relation to FIRE HAZARD and GAME HABITAT is concerned, provided that no powered (motor) transportation is used to reach the areas off the established road system. Then only with a permit issued by the area Forest Official so as not to have more than one party (of say no more than 8 persons) in one wilderness campsite on a given night so as to prevent over crowding the area as is happening in Bowren Lakes Prov, Park in B.C.

As stated above we are against the use of any motor powered conveyance of any kind, be it motorcycle, trailbike, all-terrain-vehicle, snowmobile, jeep, truck or motorized boat or canoe (on a wilderness waterway) off of or more than 100 feet of any kind of road through to an established wilderness area, or on any kind of trail at any time accept by the Lands and Forest Dept, and Forestry Staff as required as outlined by Section 11, subsection 2, Paras 1,2,3 of this proposed Act.

Our further submissions are as outlined section by section on the following pages and include suggested rewording, deletion and in some cases adding a bit more bite or power to the Act or to the authority of the Wilderness Committee, the Dept, and in one or two cases the Legislature and the People of Alberta.

Section 2, OK no change required

Section 3, Subsection 1, OK
" 2, OK

Section 4, Insert after development, "or cattle and domestic livestock grazing".

Section 5, We do not feel the committee is big enough and suggest subsection 1, changing 5 or more to read SEVEN or more.

Section 5, Subsection 2, change majority of to read NONE OF and add at the end " and shall represent as wide afield of interest as possible" (including recreation conservation, outdoor scientific and camping), with no more than two members from the forest products and mining sector.

Section 5, Subsection 3, OK

Section 5, Subsection 4, OK

Section 5, Subsection 5, Para C, delete and substitute "may recommend to the minister, the cabinet, a withdrawal of all or part of a wilderness area, but that the final decision be up to a TWOTHIRDS (2/3) majority vote of the Alberta ~~Legislature~~ Legislature.

Section 6, Add a subsection C, And no withdrawal of any wilderness area or part thereof can be taken place, until a public hearing has taken place, with at least 2 weeks notice of same posted and advertised and after a 2/3 majority vote of those official delegates present and followed by a 2/3 majority vote of the Legislature.

Section 7, Subsection A, okay but suggest adding after, for "The complete preservation!"

Section 7, Subsection B, okay but add after stable, "un-polluted".

Section 7, Subsection C, OK

Section 7, Subsection D, OK

Section 8, It is and has been our official ~~opinion~~ opinion that no disposition or change in and/or ~~disposition~~ method of disposition or change in a Wilderness area or areas be made without an advertised and posted public hearing on the subject. Including all matters related to provincial parks as well, and a vote taken at these hearings, either by person or briefs, such as this one and that all matters so related be placed on the order paper for a vote of the legislature.

Section 9, Subsection 1, OK

Section 9, Subsection 2, substitute "may not be" in place of "may be." We are against any industrial development in any of our wilderness areas and/or Provincial parks which will disturb minerals, flora and fauna, in such a way as to change its natural beauty beyond restoration.

Section 10, Subsection 1, paras (a) and (b) OK.

Section 11, Subsection 1, paras (a) (b) and (c) OK. Para (d) add after refuse, "disturb the".

Section 11, Subsection 2, delete para (a). Change para (b) to read para (a). Paras (i) (ii) and (iii) OK. Delete para (iv).

Section 11, Subsection 3, change \$50 to read \$100, and \$500 to read \$1000.
It is our opinion that the penalties shown are not nearly severe enough, and therefore we recommend the following changes:

Section 12, Subsection (a) change \$50 to read \$100 and \$1000 to read \$5000, 60 days to read 90 days.

Section 12, Subsection (b) change \$100 to read \$1000, and \$5000 to read \$10000, and 120 days to read one year.

Section 12, Subsection (c) para (i) change one month to read 120 days (or three months), and six months to read one year. Para (ii) change \$10000 to read \$20000, and \$50000 to read \$100000. This may include the penalty in para (i) above.

Section 13, OK

Submitted this 4th day of August 1970 by:

12707 90 St.,
Edmonton 31, Alta.


Leonard CA Barrett,
Alberta Area Prov. Chairman

15004 107 St.,
Edmonton 30, Alta.


Leroy F Walters
Camping Chairman

(9)

CANADIAN COMMITTEE FOR THE INTERNATIONAL BIOLOGICAL PROGRAMME

LE COMITE CANADIEN POUR LE PROGRAMME BIOLOGIQUE INTERNATIONAL

Alberta Consulting Panel of the Conservation of

Terrestrial Communities Subcommittee, Edmonton, Alberta.

Chairman: Dr. T.W.M. Cameron
P.O. Box 110,
Ste. Anne de Bellevue, P.Q.

Director-General: Dr. W.H. Cook,
National Research Council of Canada,
100 Sussex Drive,
Ottawa 2, Ont.

Vice-Chairman: Dr. Pierre Dansereau,
Institut d'Urbanisme,
Université de Montréal,
C.P. 6128, Montréal 3, Qué.

August 4, 1970.

Dr. W. A. Wood, Deputy Minister,
Department of Lands and Forests,
Government of Alberta,
Legislative Buildings,
EDMONTON, Alberta.

REFERENCE: BILL 106

Dear Sir:

We would like to present additions to and alterations of the Act respecting Wilderness Areas.

We consider this Act a step forward in the conservation of Alberta's environment, however, for the benefit of our wilderness, certain modifications seem to be desirable. Please find enclosed the text of the Act wherein our suggestions for changes and/or additions are in parenthesized italics and deletions from the original are in brackets.

We would like to emphasize that we do not want to change the basic character of the Act, which, even with the modifications suggested by us, would not adequately fulfill all scientific needs. Therefore, at present, preparations are being made to submit to the Deputy Minister the Ecological Reserves Act at the end of the summer of 1971, with the hope that the Minister would sponsor it to the Legislative Assembly.

It is suggested that the Natural Areas and, particularly, the Ecological Reserves could be at least temporarily protected by the Wilderness Areas Act, until separate Acts could be introduced.

Yours sincerely,



ANDREW D. RASZEWSKI, ✓
IBP-CT (Alberta) Regional Coordinator
Department of Zoology
University of Alberta

ADR:vjf
Enclosure

1970

An Act respecting Wilderness Areas

(Assented to , 1970)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as the Wilderness Areas Act.
2. In this Act,
 - (a) "Advisory Committee" means the Advisory Committee on Wilderness Areas;
 - (b) "Minister" means the Minister of Lands and Forests;
 - (c) "public land" means land of the Crown in right of Alberta;
 - (d) "wilderness area" means a wilderness area established pursuant to section 3.
3. (1) The public lands within the areas described in a Schedule promulgated by the Lieutenant Governor in Council are hereby established as wilderness areas.
- (2) A reference in the Schedule to a township, section, quarter section or legal subdivision shall, in respect of unsurveyed territory, be deemed to refer to what would be a township, section, quarter section or legal subdivision if the land were surveyed in accordance with The Alberta Surveys Act.
- (*"Withdrawal of Wilderness Areas or parts thereof from the terms of the Act shall occur only in cases of imperative and unavoidable public necessity following public hearings and approval by the Legislative Assembly."*)
4. *Wilderness areas are established for the purpose of preserving [their natural beauty and wilderness character] (adequate examples of Alberta's natural landscape in a wilderness condition) and protecting them from impairment, settlement and industrial development, and thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations.* Wilderness areas are established for the purpose of preserving [their natural beauty and wilderness character] (adequate examples of Alberta's natural landscape in a wilderness condition) and protecting them from impairment, settlement and industrial development, and thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations.
5. (1) The Lieutenant Governor in Council [may] (*shall*) establish a committee called the "Advisory Committee on Wilderness Areas" consisting of five members, and shall designate one of the members as chairman.

- (2) A majority of the members appointed shall be persons who are not employees of the Government. (*A majority of the members shall have professional competence in the conservation of natural resources.*)
- (3) The Lieutenant Governor in Council may authorize, fix and provide for the payment of remuneration and expenses to any of the members of the Advisory Committee who are not employees of the Government.
- (4) The Advisory Committee shall meet at the call of the chairman (*or majority of its members*).
- (5) The Advisory Committee shall from time to time consider and make recommendations to the Minister for
 - (a) establishing a new wilderness area, or
 - (b) adding lands to an existing wilderness area, or
 - (c) withdrawing lands from an existing wilderness area, (*or*
 - (d) *withdrawing^{an} entire wilderness area from the Act, or*
 - (e) *Managing of existing wilderness areas including travel restrictions.*)
- (6) The Advisory Committee shall refer any recommendations made by it under subsection (5) to the Environment Conservation Authority for its consideration.

6.

The Advisory Committee shall, at least once a year or more often as required, hold public hearings for the purpose of receiving and hearing submissions and representations respecting

- (a) any recommendations made by it under section 5, subsection (5), or
- (b) any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any lands to, or the withdrawal of any lands from, an existing wilderness area.

- publication of public hearings*
- ((1) The notice of public hearings shall be published at least once in a newspaper with a general circulation in that part of the Province wherein the wilderness area is located. The notice shall set forth the substance of the proposed action and describe with or without legal description the wilderness area affected, and shall specify the place and a time not less than 30 days after such publication for a public hearing before the Advisory Committee on such proposed action. The proceedings at the public hearing shall be recorded and made public.)

7. The Minister may, *(upon the recommendation of the Advisory Committee)*, carry out or cause to be carried out measures or programs in a wilderness area, or approve the carrying out by other persons of measures or programs in a wilderness area,
- (a) for the preservation of plant and animal life indigenous to the wilderness area,
 - (b) for the maintenance of stable watershed conditions,
 - (c) for ecological and other scientific research that does not involve any physical *(or biological)* disturbance of the area, and
 - (d) generally, for the preservation and protection of the wilderness area and for any other purpose for which wilderness areas are established
8. (1) Subject to subsections (2) and (3), no disposition shall be made by or on behalf of the Crown of any estate or interest in public lands in a wilderness area under The Public Lands Act, 1966, The Forests Act, 1961, The Mines and Minerals Act, 1962 or any other Act.
- (2) Subsection (1) does not operate so as to relieve the Crown from making a disposition of an estate or interest in public lands in a wilderness area where
- (a) the Crown is under a legal liability to do so, and
 - (b) the liability arose before the land concerned became part of a wilderness area by this Act or by an amendment to this Act.
- (c) *Any development of an estate or interest in public lands in a wilderness area subject to disposition by the Crown under subsection (2) (a), (b) shall be subject to standards proposed by the Advisory Committee and approved by the Minister.)*
- (3) A disposition may be made by or on behalf of the Crown of an estate or interest in public lands in a wilderness area if the disposition is made in favour of a person who is empowered to expropriate that estate or interest from the Crown.
- (4) A disposition made in contravention of this section is void.
9. (1) Subject to subsection (2), no Minister of the Crown or any person authorized by an Act to do so shall grant any permission, whether termed approval, consent, permit, licence, certificate, or other term, which would in the absence of this subsection, empower the person to whom it is granted to expropriate any estate or interest in land in a wilderness area.

- (2) A permit may be issued under The Pipe Line Act, 1958 for the construction of a pipe line in a wilderness area where the pipe is to be used
 - (a) for the transmission of minerals recovered in the wilderness area, or
 - (b) for the transmission of oil, gas, water or other substance in connection with any order made, or any scheme or operation approved under The Oil and Gas Conservation Act, 1969 that pertains wholly or partly to the recovery of oil or gas in the wilderness area, or
 - (c) for the transmission of gas or water in connection with drilling or production operations for minerals in the wilderness area.
- 10. (1) Except as permitted under section 11, subsection (2), no Minister of the Crown or other person on behalf of the Crown shall
 - (a) construct, maintain, repair or operate any public work, road, railway, aircraft landing strip, helicopter base, structure or installation in a wilderness area, or
 - (b) expend or authorize the expenditure of any moneys for any of those purposes.
- (2) Subsection (1) applies mutatis mutandis to a Crown corporation or other corporation, board, commission or body the members of which are appointed by an Act of the Legislature, the Lieutenant Governor in Council or a Minister of the Crown or any combination thereof.
- 11. (1) Subject to subsection (2), no person shall
 - (a) travel in a wilderness area except on foot, on horseback, or by means of a vehicle or boat that is not motor-powered, or
 - (b) enter or travel within a wilderness area except for the purpose of walking, hiking, skiing, snowshoeing, boating, fishing or bicycling, or
 - (c) land an aircraft in a wilderness area, or
 - (d) deposit any litter, garbage or refuse in a wilderness area except in areas and containers provided for that purpose.
- (2) The following acts are permitted in a wilderness area:

- (a) the carrying out of measures or programs authorized or approved by the Minister pursuant to section 7, and
- (b) the use of any means of transportation or any equipment and the doing of any act in connection with
 - (i) the prevention or extinguishing of forest fires, or
 - (ii) the prevention of damage to natural resources or property, or
 - (iii) emergencies involving the health or safety of persons, or
 - (iv) operations arising from rights conferred by dispositions referred to in section 8, subsection (2).

- (3) A person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not less than \$50 and not more than \$500 and in default of payment to imprisonment for a term not exceeding three months.

12. Any (*natural*) person (*or corporation*) who, without lawful justification or authority, destroys or damages or pollutes any land, water, plant life or animal life in a wilderness area is guilty of an offence and liable on summary conviction

- (*) (a) for the first offence, to a fine of not less than \$50 and not more than \$1,000 and in default of payment to imprisonment for a term of not more than 60 days,
- (*) (b) for a second offence, to a fine of not less than \$100 and not more than \$5,000 and in default of payment to imprisonment for a term of not more than 120 days,
- (*) *should also be made distinction in penalties between a natural person and a corporation.*
- (c) for a third or subsequent offence
 - (i) in the case of a natural person to imprisonment for a term of not less than one month and not more than six months, or
 - (ii) in the case of a corporation, to a fine of not less than \$10,000 and not more than \$50,000.

13. The Minister may prohibit or restrict travel in a wilderness area during any period either absolutely or except under the authority of a permit issued by or on behalf of the Minister.
14. This Act comes into force on the day upon which it is assented to.

9/10

A BRIEF ON BILL C 106
"THE WILDERNESS AREAS ACT"

Presented by the ALBERTA FISH & GAME ASSOCIATION

Jubilee Auditorium
Edmonton, Alberta

August 4, 1970

Presented by -

Gordon Peel
President

THE ALBERTA FISH & GAME ASSOCIATION

This brief is one of a number being submitted to these hearings on Bill C 106, "The Wilderness Act", by the Alberta Fish and Game Association.

It is indeed a rare opportunity to participate in a public hearing and to realize that a committee has been set up to seek the views of the public and it is hoped that some guidance is provided the members of the committee by hearing the various views presented throughout the province.

The government is to be congratulated and in particular the Honourable J. Donovan Ross, for calling these hearings and allowing these public expressions of opinion.

The Alberta Fish & Game Association was formed in 1908 and now represents some 108 affiliated member clubs and some 23,000 individual members and we believe we are Alberta's oldest and largest conservation organization.

Conservation does not in our opinion mean to isolate and leave our natural environment unmolested. It does however mean to minimize environmental damage. To accomplish this there must be certain areas where nature is left undisturbed in order that these areas may provide study areas for our scientists to observe nature's method of natural cyclic renewal. The lessons learned from nature in these study areas can provide the answers to proper renewal methods that can then be applied to other areas that have been and are being disturbed by manmade phenomena.

Many of the resources in our province are renewable and others of course are non-renewable. I would like to use the Clearwater Forest Reserve as an illustration merely to show how much of this particular area is being, or can be effected by mans expanding interest.

In this particular illustration an attempt has been made on the initial chart to show the critical areas where Fish & Wildlife exist and the areas we feel must be given maximum protection if these species are to survive. This does not mean that no development should take place in these areas, but it does mean that any and all developments must be carefully controlled to create a minimum disturbance in these specific areas.

The first overlay indicates grazing leases and in these areas there are continued pressures to cut down the wildlife herds who naturally compete with cattle for existing graze.

The second overlay indicates existing oil fields and includes dense seismic operations -- we are already aware of some of the hazards that have been created by these operations. Controls are being brought in to minimize the hazards presented by spills, but seismic operations are responsible for a serious erosion problem that has not yet been resolved.

The third overlay indicates coal areas, some of which are under development and others that are potential.

The fourth overlay indicates well sites and recent oil leases. It is noted that one well site lies within the White Goat Wilderness.

The fifth overlay indicates potential lumbering operations.

These illustrations show the existing and potential development areas. It is noted that the areas we feel should be protected are involved in one or more of the developments that exist. These examples would no doubt hold true in other parts of the province.

The concept of Wilderness Preservation has already been established some years ago by the establishment of Wilmore, Stiffleur, White Goat and Ghost River Wilderness Areas. The setting up of further areas must not be delayed and the regulations governing them must be made more stringent.

Last July members of our association, in a meeting with members of the Cabinet, suggested three new areas be established as Wilderness Areas. These are located in the Kananaskis, Elbow River and Castle River areas. In addition we have proposed a system of Wild Rivers in Alberta, where certain rivers and streams or portions of them may be preserved in a natural state and given similar status to Wilderness Areas.

There is a growing need in Alberta to provide additional outdoor recreational areas. Many of these needs are as variable as the types of people who enjoy the many

forms of outdoor pursuits. For the ski enthusiasts, skidoo enthusiasts, water skiers, picnickers, and many campers, wilderness areas are not the answer. The very nature of some of these pursuits are not in my opinion compatible with the Wilderness concept. Specified areas for these type of pursuits can and should be provided elsewhere and many of these pursuits would not be adversely effected by a multiple land use concept. The problem to date has been that to often single purpose land use is approved and proceeded with before other possible or potential uses of these areas are even considered. Once a single purpose land use has been approved and is in effect, it is difficult if not impossible to superimpose other land uses into the same area plan.

Our present system of deciding land use requires change.

Past experience indicates the Public Lands are put up for lease and are in fact leased before the land use specialists employed in ^{Government} Departments, who might have an interest, are consulted! The leases are in fact paid for before all these specialist personnel are consulted or are even aware of the land dispositions! There are then mechanics supposedly operating within government, where, before development is permitted, these land use specialists may become involved and may in fact object to these dispositions. But is this not putting the cart before the horse? -- Payment for the leases has already been accepted. -- Could land legally be withdrawn from these leased parcels? -- Has land ever been withdrawn from one of these parcels after a lease sale? With my limited knowledge of the legality of such a withdrawal, I would think that this would not appear to be a sound business principle and perhaps not even a legal principle.

Would it not be a better plan to have land parcels examined by an interdepartmental committee of specialists before any further dispositions of public lands are considered? This type of approach should look at and plan the best long term use of any land parcel on the basis of the overall resources available within the land parcel and could eliminate the destruction of many perhaps seemingly secondary resources that in the long term will really be of greater importance to the economy of our province.

It is our belief that the most important aspect to be considered in any assessment of our eastern slopes is the continued ability of these areas to provide an adequate permanent clean water supply, to be wisely safeguarded and used throughout Alberta and in fact Western Canada. Retaining these areas as semi wilderness or

wilderness areas is the best possible method of safeguarding this water supply. The pursuits of hunting and fishing and a properly controlled forest products industry are compatible with this approach, at least in semi wilderness areas. By a properly managed forest industry we contend that cyclic cutting systems in 100 year cycles would be mandatory to maintain a healthy regenerating industry and at the same time protect the water retention capabilities of the forests. Other industries are less compatible, but with properly controlled management, could be operated.

These hearings were called to discuss Bill C 106 as presented in the Legislature in the last session. It is our feeling that some parts of this Bill are adequate and on these portions no comment will be made.

The following comments will therefore only cover the portions of the Bill where a change is recommended.

Section 3(1) - The establishment of Wilderness Areas should not be limited to existing public lands.

Existing and future Wilderness Areas should be assented to in the Legislature and changes to or dispositions from these areas should also require legislature approval.

Section 5(a-c) - Any recommendation made for establishing new areas, adding or withdrawing lands from Wilderness Areas should be brought before the Legislature for decision.

Section 6 - Yearly public hearings may or may not prove necessary, but the principle of public involvement is logical.

Section 8(b) - Every effort should be made to terminate any prior disposition involved in a proposed Wilderness Area. It is realized the same capital may be involved in the cancellation of any prior dispositions, but the land involved might well be replaced to the holder of the disposition with the allotment of another parcel of crown land outside the proposed Wilderness Area.

Section 9 - The section is totally unacceptable as it incorporates the premise that the exploration of minerals, oil, gas and water shall continue

within Wilderness Areas. It is our belief that these practices are incompatible within any Wilderness concept.

Section 11(b) - This section implies skiing should be allowed, if this means cross country skiing there is no objection, but the usual ski tow or lifts must not be allowed. It eliminates hunting and it is felt that this should be left to the discretion of the biologists. If hunting is permitted in all surrounding areas, wildlife may congregate and overgraze an area and later starve or become diseased as a result. To create more situations where mans interference has overconcentrated wildlife, as in Banff and Jasper Parks, resulting in necessary slaughter by park wardens of excess animals, would seem ridiculous. Hunting if allowed could be by permit only, dependant on sound management principles.

In conclusion, the findings of this Committee holding these hearings cannot possibly be written into an Act and become law before 1971.

In a letter to the Minister of Lands and Forests on 3 July 1970, our concern was expressed in regards to the granting of leases and exploration permits that were and would be received before these public hearings could be held, and the results made known and protective legislation instituted. I now wish to reiterate this concern and suggest that a temporary moratorium should be placed on the considering and granting of these leases and permits in all doubtful areas until Wilderness Legislation can be put before and debated in the Legislature.

BRIEF PRESENTED BY EDMONTON
CHAPTER OF ALBERTA WILDERNESS
ASSOCIATION REGARDING BILL 106

We of the Alberta Wilderness Association, Edmonton Chapter, wish to commend the efforts of the Minister of Lands & Forests and others responsible for the bringing forth of Bill 106. This legislation is certainly a start in the proper direction towards meaningful laws to protect a small portion of our Province from Industrial intrusion and exploitation.

However, there are sections in the bill which we feel require amendments or additions to help make it a more meaningful protection for our wilderness areas. Loopholes in the legislation must be eliminated if it is to be effective.

Specific sections of Bill 106 which require improvements are as follows:

I. Section 4 must give a complete definition of wilderness. Without a clear cut description, the Act can be neither effectively administered nor properly enforced. We endorse the definition of "Wilderness" as used in Section 2(c) of the Wilderness Act (USA) September 3, 1964.

Section 5 - The Advisory Committee must contain land-use specialists and for this reason, the Bill should specify that the Chairman be a trained and experience Ecologist. The committee should also consist of a wildlife Biologist, and representatives from two or more conservation groups. Subsection 4 should state that meetings "shall be held at least four times per year".

Section 6 - Public Hearings should be held twice a year - one being in the northern half of Alberta;= the other in the Southern half.

Section 8 - We respectfully submit that previous committments made by the Crown must be recinded, and the provision be made in the Bill for no disposition of lands in an existing Wilderness Area nor any proposed Wilderness Area.

It has been proven that man can, and will do anything to overcome obstacles impeding his so - called progress. Unfortunately, these obstacles too often present themselves in the form of trees, grass, wildlife, and mountains. The larger the obstacle, the larger the machine used.

All intrusion of the wilderness areas must be stopped. We may fool ourselves into believing that the best policy is to "Get what we can while we can", but we submit that it is very unfair to future generations and ~~was~~ a poor legacy to leave. Although all may not use the Wilderness Areas, to their fullest extent, many will. Everyone should be entitled to a place to "Get away from it all". If we are unable to provide this we are failing in our duty to those who follow.

BC Stronstedt



CANADIAN INSTITUTE OF FORESTRY

INSTITUT FORESTIER DU CANADA

BOX 3000, MACDONALD COLLEGE, P.Q. — 514-453-4281

Rocky Mountain Section - 5320 - 122 Street
Edmonton 70, Alberta

18

D. M. IRVINE, R.P.F.

Secretary-Manager

August 3, 1970

SECTIONS —

NEWFOUNDLAND

NOVA SCOTIA

MARITIME

SAGUENAY

ORLEANS

CHAMPLAIN

OTTAWA VALLEY

SOUTHERN ONTARIO

ALGONQUIN

NORTHERN ONTARIO

CENTRAL ONTARIO

NORTH WESTERN ONTARIO

LAKE OF THE WOODS

MANITOBA

SASKATCHEWAN

ROCKY MOUNTAIN

KOOTENAY

OKANAGAN

CARIBOU

VANCOUVER

VANCOUVER ISLAND

Dr. J. D. Ross, Minister
Department of Lands and Forests
Natural Resources Building
109 Street & 99 Avenue
Edmonton, Alberta

Dear Dr. Ross:

We are submitting for your information the Rocky Mountain Section, Canadian Institute of Forestry "Report of the Sub-Committee on Wilderness Recreation in Alberta" for consideration by the Government of Alberta for implementation in an Act respecting Wilderness Areas.

Yours very truly,

A.D. Kiil
Chairman,
Rocky Mountain Section,
Canadian Institute of Forestry

ADK/mdt

Encl.



Publisher of

THE FORESTRY CHRONICLE

CANADIAN INSTITUTE OF FORESTRY

ROCKY MOUNTAIN SECTION

Report of the Sub-Committee on Wilderness

Recreation in Alberta ¹

1. In introducing this report we wish to stress that our comments are based on information given to us and observations made by us during the past two years. Two formal sessions were held by this Section to provide open discussion on Wilderness in Alberta. The first was in April 1962 when this Committee presented a preliminary report; the second session, in February 1963, included a Panel discussion on Management Policies of Wilderness Areas in Alberta. Following this last meeting a special invitation was given to each Section member to submit further comments to the Committee Chairman. We wish to record our appreciation to all those who contributed their comments both at the open meetings and by written submission.

2. We recognize that there is a major problem in considering the subject of Wilderness areas in Alberta. In trying to present adequate counsel of our Section, there are few if any members with much practical experience in management of outdoor recreation areas - at least in terms of large wilderness areas. It was difficult, therefore, to draw upon unbiased and objective opinions backed by experience in comprehensive planning.

3. In this connection we observed that the wilderness

¹ This report was prepared in 1964. Minor changes were made in July 1970 to reflect recent changes in numbers and sizes of wilderness and provincial parks, historic sites and Natural Areas.

concept is an intensely personal thing and is certainly one of the more emotional subjects affecting forest and land managers in recent years. Although most opinion in the Section was generally in favour to preserve the so-called single-use Wilderness Areas the views on what constitutes a Wilderness Area and how the objectives were to be reached were extremely diverse.

4. As a basis for past discussion on wilderness, Section members and others have frequently referred to the types of wilderness defined and recommended by the Alberta Members of the Canadian Society of Wildlife and Fisheries Biologists in their Brief on Wilderness Preservation in Alberta. It is worthwhile to review briefly the types of wilderness proposed by this professional group.

(a) Inviolate primitive areas - so-called true wilderness areas without evidence of man's activities - large in area, 50 to 100 thousand acres minimum.

(b) Wilderness parks - classified between the inviolate primitive areas and areas of maximum use - characterized by rigidly controlled resource management and development. Area is large - probably 100 thousand acres minimum.

(c) Natural areas - also inviolate to provide opportunity for scientific educational and cultural studies. To be located in each of the major ecological

communities. To be large enough to be free of major man-made influences and to contain populations of indigenous wide-ranging vertebrates.

The benefits proposed in the Brief of the Canadian Society of Wildlife and Fishery Biologists are standard wherever wilderness preservation is considered. They are "recreational, scientific, educational, cultural, historical and simply the enjoyment by the people in such a manner as will leave the area unimpaired for future generations".

5. At this point we should examine briefly the various types of existing areas or facilities offering public wildland recreation opportunities within the boundaries of Alberta.

(a) Under the jurisdiction of the Federal Government there are five National Parks with a combined total area of approximately 20,700 square miles or 13¼ million acres. Three parks consisting of Jasper, 4,000 square miles, Banff, 2,500 square miles, and Waterton, 204 square miles, are in the Rocky Mountains. One, Elk Island, with 75 square miles is in the Aspen Grove Forest-Grassland transition and Wood Buffalo National Park, the fifth, and largest (13,700 square miles approximately) and least accessible is in the northern lowland Mixedwood Forest. To accommodate the many and varied interests of their visitors the National Park Service recently formulated a plan of zoning the various mountain park areas so that approximately one-

third of each park is preserved as true wilderness. Facilities are to be limited to trails, campsites, primitive shelters and directional signs. All developments existing and planned in the remainder of the Park are to be avoided.

(b) Under provincial jurisdiction there are four wilderness parks with a combined total area of 2,425 square miles. These are Siffleur (159 square miles), White Goat (488 square miles), Willmore Park (1,721 square miles) and Ghost River (57 square miles). All are in the high protection forest zone of the east slopes Rocky Mountains and rugged adjacent foothills. There are also 48 small provincial parks located throughout Alberta from the prairies to the high foothills. Total combined area is 130,000 acres ranging from 4 acres to a 50,000-acre park in the Cypress Hills. In addition there are 26 historic sites totalling 170 acres and ranging from less than one acre to 107 acres.

Besides the above areas listed for development of wilderness recreation; the Alberta Forest Service administers approximately 151,000 square miles of forested land. These lands though undeveloped are used extensively for all forms of outdoor recreation. Mineral exploration and development, geophysical operations and commercial forestry operations

- 5 -

certainly disqualify some areas as being inviolate but for all intents and purposes most of these forests have not been influenced by man. They contain wild fowl, game and fish, lakes and streams, forest cover and aesthetic appeal - all the attributes of a truly primitive area.

6. We would like to draw attention to the importance of ensuring proper protection from fire, insects and disease in all wilderness areas. Dedicated advocates of wilderness enjoin the general public and governments at all levels to preserve large primitive areas. Selfish interests are accused of opening these areas for commercial uses that will destroy them forever. While professional foresters are generally sympathetic to the concept of wilderness we do not agree that the terms "conservation" or "preservation" mean leaving the integral parts of the wilderness strictly inviolate.

7. Apart from the mineral soil and rock on which wilderness is located, the wilderness area is, in fact, a community of living (and dying) flora and fauna, which are subject to every hazard of nature including man but who may be only of relatively minor importance. If wilderness is to fulfil its recreational, scientific and cultural uses, if it is to maintain its aesthetic appeal, provide proper shelter and food for wildlife, and have its waterways for travel, proper management in the interests of fire protection, insects and diseases and over-

maturity of the forest trees is required. Some people will continue to argue strongly that the requirements of wilderness must permit fire, insects and disease to take their toll of the forest. This concept may be correct in the true sense of inviolate wilderness. The difficulties and dangers lie, however, in the deleterious effects such a lack of control would have on the economic values of the surrounding forest areas. It is noted that even for the Inviolate Primitive area, prescribed by the Wildlife and Fisheries Biologists in their Brief, provision is made for game and fish management. Undoubtedly the wildlife biologists recognize the major ecological problems that would occur if regulated game harvests are not maintained. While there may be relative degrees of economic value from area to area, the ecological problems for forest management in the wilderness are just as obvious and important as they are for game management.

8. As outdoor recreation philosophies have developed within our country and Alberta particularly, we recognize and generally accept certain basic objectives of wilderness. These are: (a) to preserve for the enjoyment of ourselves and future people representative areas of our natural and cultural heritage and (b) to provide for the spiritual and physical well being of the people through parks and other facilities. Nevertheless, as our timberlands are increasingly affected by recreation and other land uses, and we examine the extent and type of existing

areas offering public recreation opportunities we should question and critically review the growing demands by persons and special interest groups advocating more wilderness reservations in Alberta. This questioning is not a matter of refusing credence to wilderness but rather to ask the land management agencies in Alberta to take careful stock of past work and planning and to ensure that hurried decisions are not made under public pressure.

9. Undoubtedly interest and attendance in wilderness recreation by the public are rising with an increasing number of outdoor activities, with an ever increasing population, with improved transportation and with more leisure time. Today outdoor recreation and vacation travel are year-round. Lines of change are down and probably we have really little conception of human life or though one hundred or even fifty years from now. Certainly any straight line projections for increased park and wilderness reservations are apt to be highly misleading. Future changes in populations and levels of income may elicit a rather complicated response for all types of land use including wilderness recreation, watershed protection, fish and wildlife habitat improvement, grazing, timber management and geophysical operations to name some important ones in Alberta. More detailed information than we appear to have now and a more complete research program of recreation-use are needed if

resource managers in Alberta are to have the sound facts, guide lines and criteria they require for rational planning in the future. Implementation of a wise outdoor recreation policy will require the co-operative participation of several levels of government and private enterprise. Administrators of recreation, while they can now use the research findings of forest ecology, silviculture, watershed management wildlife management, forest soils and economics will require research aimed more specifically at management of forest recreation.

Statement of Policy for Wilderness Areas in Alberta

10. We recognize the need to set apart certain public lands as wilderness areas, and to preserve these areas as nearly as may be possible in their natural state. The uses for the wilderness may be recreational, scientific, educational, scenic, historical, and conservation of flora and fauna.

11. To satisfy certain conflicting interests we would recognize some degree of zoning but for now we would recommend two types of wilderness in Alberta. These are:

(a) Large Recreational Wilderness - Such an area to be held in its primitive condition, as free as practicable of artificial influences; accessible to the public only by trail or canoe and with commercial utilization of natural resources and grazing of livestock eliminated. Trails, primitive campsites and direction

signs should be allowed. Hunting and fishing should be permitted, subject to provincial and federal game laws. Except where necessary, mechanized transport and related facilities would be prohibited. Exceptions may be determined by the Director of Forestry, Department of Lands and Forests, where minor roads are required for fire control and aircraft are required to land on lakes and streams in emergency situations. The area must be managed in the interests of fire protection, insect and disease control and other major natural hazards. A minimum size of 50,000 acres might be acceptable if the wilderness was completely surrounded by a buffer zone of extensive wildland but a preferred minimum of 100,000 acres is recommended. Boundaries of wilderness should embrace lands where timber by reasons of poor growing conditions, inaccessibility, or limited supply is mainly non-commercial. Other tangible forest-land resources should also be limited. In general the three present wilderness parks referred to in paragraph 5b fall into this category.

(b) Natural Areas - These areas should be relatively small and inviolate. The purpose of natural areas has been defined by the Society of American Foresters Forest Terminology (1968) as "to preserve permanently in unmodified condition a representative unit of virgin growth of a

major forest or range type primarily for the purposes of science, research and education. Timber cutting and grazing are prohibited and general public use is discouraged". This committee would recommend that the concept of virgin growth should be enlarged to include any area deemed to be ecologically important; also the concept of major forest cover type should be enlarged to include the major forest habitat types or physiographic sites. Basically natural areas would function as controls against those areas that are being modified by man. This is not a program of "land rescue". It is a plan to set aside limited and representative areas to observe the interplay of natural resource, to provide a field laboratory for scientific research for the problems of forestry and land use (including the wilderness management value) and to preserve the natural flora as an outdoor museum.

A minimum size of 40 acres is suggested but a preferred minimum would be 100 acres. The maximum size should not exceed one square mile or be so large as to hinder the efficiency of fire protection and regular forest management of the region in which the Natural Area is located.

Establishment of Recreational Wilderness and Natural Area

12. Keeping in mind the various existing recreation areas available in Alberta and in the nearby National Parks this Committee recommends that the provincial government should not

respond hurriedly to requests for more wilderness areas. The Department of Lands and Forests and Department of Agriculture of Alberta are devoting increasing study and effort to making an overall land classification and in turn, a proper allocation of all lands to their most suitable use. We would expect that this type of study will also identify significant recreation resources in this province, examine areas of need with respect to recreation and select general areas and, in some cases, specific area for additions to the provincial park and wilderness program.

13. Four so-called wilderness parks have already been established by the Provincial Government. While not inviolate, the areas are in the high ranges of the protection forest zone of the east slopes of the Rocky Mountains and probably fulfil the requirements of most wilderness recreationists. Commercial utilization may be eliminated and the lands and forests allowed to regain their natural state. Because of present commitments this may require some time - but so long as control is exercised properly the wilderness has much to gain.

14. There are several other regions of Alberta that can be recommended as candidate wilderness areas. There are in the northwestern and north-central areas of the province and, of particular interest, in the extreme north east where the Precambrian Shield extends into Alberta. Certainly large areas exist in all these sections which possess all the required

attributes of wilderness, and where the land is suitable for neither agriculture nor forestry. Petroleum and other mineral exploration and development activities will, however, present problems in any serious attempt to establish wilderness areas.

15. There are five Natural Areas covering 10,080 acres in Alberta at this time and we would recommend that in order to take advantage of their recognized functions such areas should be established in all typical land and forest conditions. Examples of undisturbed natural forest types are fast disappearing in many areas of Alberta and now is the time other Natural Areas ought to be established.

16. The program must be properly planned and conducted by a team or committee of forestry, soils and land specialists drawn mainly from the research and educational agencies that would use the Natural Areas. The committee would require close liaison with or possibly membership from the management agencies administering the forests. A wholesale program of establishment is not recommended, but it should be recognized that the establishment of Natural Areas does not necessarily require their immediate use for scientific study. Provided a Natural Area is properly inventoried when it is established for tree cover, lesser vegetation and important features of the environment, further study, the intensity and periods of sampling and the use of the data may be left to the discretion of the individual users.

/ C9ncluding Remarks and Recommendations

With the foregoing discussion in mind we recommend:

- A. That adequate provision be made by the Government of Alberta for full consideration of wilderness areas in the planning, development and management phases of the provincial land management program.
- B. That the advisory and technical agencies administered by the Government of Alberta for land management include a trained, enlightened and perceptive professional recreation manager.
- C. That Wilderness Area management must take cognizance of its effects upon bordering economic values, with the provision for buffer zones if necessary.
- D. That two general classes of wilderness be identified within the Provincial Crown Lands, namely (1) Large Recreational Wilderness and (2) Natural Area.
- E. That the large Redrecreation Wilderness be held in its primitive or natural state characterized by primitive conditions of transportation and habitation with no provision for public motORIZED transport or commercial operations; hunting and fishing permitted subject to provincial and federal laws. Boundaries should embrace lands where timber by reason of poor growing conditions, inaccessibility or limited supply is mainly non-commercial. Forest management to be conducted in the interest of efficient forest fire

✓
protection, insect and disease control and other major natural hazards. Minimum area to be 100,000 acres.

- F. That Natural Areas be defined as an area reserved to preserve permanently representative virgin and other ecologically important growth of a major cover type or site for the purposes of science, research and education. Minimum area to be 40 acres. Maximum area should not exceed one square mile or be so large as to hinder unduly the efficiency of fire protection and regular forest management of the region in which the Natural Area is located. All commercial operations prohibited; use by general public discouraged.
- G. That the Rocky Mountain Section, Canadian Institute of Forestry should study and encourage a wider understanding of the problems of wilderness areas in Alberta particularly as they effect the forest resources; review critically wilderness management practices and recommend and support considered improvements in the selection, establishment and management of Recreational Wilderness and Natural Areas in Alberta.

J.C. Wright

A.A. Rytz

M.H. Drinkwater (Chairman)

September 10, 1964.

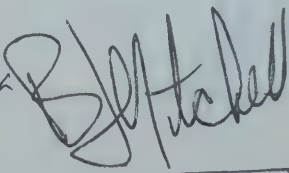
Calgary, Alberta

Bill 106 is an ineffective and totally useless wilderness act. It appears to me that this act was drawn up without the assistance of persons sympathetic with or working in the field of environmental quality. The act as it now stands does absolutely nothing short of setting up wilderness areas to be used for the enjoyment of all Albertans, including coal operators, loggers, and those in the oil and gas industry. This act then, contributes nothing of significant value. One can now go to wilderness areas that have been exploited by industry and the land is no longer a wilderness. Bill 106 will not change this deplorable situation.

The act makes no attempt to designate sizes of the areas in question, nor does Bill 106 allow for good game management with its disallowance of controlled hunting. I fear also that there have been no long range studies to determine what percentage of Alberta's land is needed to insure that all wildlife will be able to survive into perpetuity in their natural environment. Indeed, if this type of study has been undertaken I cannot see that it has been consulted.

In short, I feel Bill 106 in its entirety should be scrapped and a new act be introduced. My recommendations for this act are:

1. The word "wilderness" should be specifically defined.
2. The advisory council should be chaired by a non-governmental employee.

Superably - a geologist 

3. All outstanding leases of any type, or past commitments should be purchased by the government from government funds so as to insure that no person or corporation has any right to enter on a wilderness area for any commercial venture whatsoever.
4. The size of the wilderness areas should be defined in such a manner that no area is too small to support all forms of wildlife in that ecological region within a wilderness area, and as recommended by biologists.
5. A study should be carried out by biologists to determine what percentage of Alberta's areas are needed to perpetuate all forms of Alberta wildlife, and that this percentage be referred to whenever areas are to be set up.
6. For an eco system to survive in a natural state, it is necessary to harvest by hunting, any surplus of wildlife that will occur.
7. There is a need for fire roads, emergency access areas, and provisions for watershed control where the water passing through a wilderness area also passed through a populated area.
8. If and when a new act is drafted, another round of public hearings should be called at a more appropriate time than in the midst of summer vacations.

A handwritten signature in dark ink, appearing to be 'B. J. H. H.', is located in the bottom right corner of the page.

AMENDED COPY OF BILL 106
AS RECOMMENDED BY THE
ALBERTA PROFESSIONAL GUIDES
AND OUTFITTERS FEDERATION

Box 1341

SHERWOOD PARK ALTA.

Third Session, 16th Legislature, 19 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 106

An Act respecting Wilderness Areas

THE MINISTER OF LANDS AND FORESTS

First Reading

Second Reading

Third Reading

BILL 106

1970

An Act respecting Wilderness Areas

(Assented to , 1970)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as The Wilderness Areas Act.

NOTE: 1. This Bill proposes guidelines relative to the establishment of wilderness areas of modest size in various locations throughout the Province. The Government does not intend to proceed with this Bill during this session of the Legislature, but to use it as a basis for discussions in meetings to be held throughout the Province during the year.

This will permit any individual or group who wish to make their points of view available for consideration by Government for implementation in an Act to be considered at the next session of the Legislature.

2. In this Act,

- (a) "Advisory Committee" means the Advisory Committee on Wilderness Areas;
- (b) "Minister" means the Minister of Lands and Forests;
- (c) "public land" means land of the Crown in right of Alberta;

- (d) "wilderness area" means a wilderness area established pursuant to section 3.

NOTE: 2. Definitions.

3. (1) The public lands within the areas described in a Schedule promulgated by the ^{Legislature} ~~King's Privy Council~~ are hereby established as wilderness areas.

(2) A reference in the Schedule to a township, section, quarter section or legal subdivision shall, in respect of unsurveyed territory, be deemed to refer to what would be a township, section, quarter section or legal subdivision if the land were surveyed in accordance with The Alberta Surveys Act.

NOTE: 3. Establishment of wilderness areas.

4. Wilderness areas are established for the purpose of preserving their natural beauty and wilderness character and protecting them from impairment, settlement and industrial development, and thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations.

NOTE: 4. Purpose of wilderness areas.

5. (2)a The membership shall contain one independent ecologist or biologist, one professional guide or outfitter, one fish and wildlife conservationist, one oil industry representative and one mines and minerals representative. The committee should be limited to five.

5. (1) The Lieutenant Governor in Council may establish a committee called the "Advisory Committee on Wilderness Areas" consisting of five or more members, and shall designate one of the members as chairman.

(2) A majority of the members appointed shall be persons who are not employees of the Government.

a. See the note on the opposite page. (5.(2)a)

(3) The Lieutenant Governor in Council may authorize, fix and provide for the payment of remuneration and expenses to any of the members of the Advisory Committee who are not employees of the Government.

(4) The Advisory Committee shall meet at the call of the chairman.

(5) The Advisory Committee shall from time to time consider and make recommendations to the Minister for

(a) establishing a new wilderness area, or

(b) adding lands to an existing wilderness area, or

(c) withdrawing lands from an existing wilderness area.

(6) The Advisory Committee shall refer any recommendations made by it under subsection (5) to the Environment Conservation Authority for its consideration.

NOTE: 5. Advisory Committee on Wilderness Areas.

6. The Advisory Committee shall, at least once a year or more often as required, hold public hearings for the purpose of receiving and hearing submissions and representations respecting

- (a) any recommendations made by it under section 5, subsection (5), or
- (b) any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any lands to, or the withdrawal of any lands from, an existing wilderness area.

NOTE: 6. Public hearings respecting proposals for new wilderness areas and changes in existing ones.

7. The Minister may carry out or cause to be carried out measures or programs in a wilderness area, or approve the carrying out by other persons of measures or programs in a wilderness area,

- (a) for the preservation of plant and animal life indigenous to the wilderness area,
- ~~(b) for the maintenance of stable watershed conditions,~~
- (c) for ecological and other scientific research that does not involve any physical disturbance of the area, and
- (d) generally, for the preservation and protection of the wilderness area and for any other purpose for which wilderness areas are established.

NOTE: 7. Programs for preservation and maintenance of wilderness areas.

8. We would be in favour of reimbursement for lands or leases expropriated in existing or proposed wilderness areas.

9. No need for 9 if 8 is changed to our recommendation.

10. (1) Except as permitted under section 11, subsection (2), no Minister of the Crown or other person on behalf of the Crown shall

(a) construct, maintain, repair or operate any public work, road, railway, aircraft landing strip, helicopter base, structure or installation in a wilderness area, or

(b) expend or authorize the expenditure of any moneys for any of those purposes.

(2) Subsection (1) applies mutatis mutandis to a Crown corporation or other corporation, board, commission or body the members of which are appointed by an Act of the Legislature, the Lieutenant Governor in Council or a Minister of the Crown or any combination thereof.

NOTE: 10. Government prohibited from constructing roads, airstrips, etc. in wilderness areas.

11. (1) Subject to subsection (2), no person shall

(a) travel in a wilderness area except on foot, on horseback, or by means of a vehicle or boat that is not motor-powered, or

(b) enter or travel within a wilderness area except for the purpose of walking, hiking, skiing, snow-shoeing, boating, fishing or bicycling, ~~or~~ hunting, or camping, or

(c) land an aircraft in a wilderness area, or

(d) deposit any litter, garbage or refuse in a wilderness area except in areas and containers provided for that purpose, or properly bury it.

(2) The following acts are permitted in a wilderness area:

(a) the carrying out of measures or programs authorized or approved by the Minister pursuant to section 7, and

(b) the use of any means of transportation or any equipment and the doing of any act in connection with

(i) the prevention or extinguishing of forest fires, or

~~(ii) the prevention of damage to natural resources
xxx property xxx~~

(iii) emergencies involving the health or safety of persons, or damages to natural resources.

~~(iv) operations involving xxxxxx rights xxxxxxxx
by disposition xxxxxxxx to xxxxxxxx,
subsection (2)~~

(3) A person^{or corporation} who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not less than \$50 and not more than \$500 and in default of payment to imprisonment for a term not exceeding three months.

NOTE: 11. Prohibited use of wilderness areas.

12. (a) ii For a corporation first offence, minimum fine of \$1,000 and a maximum of \$10,000 or imprisonment for not more than 3 months.

(b) ii For a corporation second offence, minimum fine of \$10,000 and a maximum of \$50,000 or imprisonment for not more than 6 months.

12. Any person^{or corporation} who, without lawful justification or authority, destroys or damages or pollutes any land, water, plant life or animal life in a wilderness area is guilty of an offence and liable on summary conviction

(a) i for the first offence, to a fine of not less than \$50 and not more than \$1,000 and in default of payment to imprisonment for a term of not more than ~~60 days~~, 3 months,
ii See note on the opposite page.

(b) i for a second offence, to a fine of not less than \$100 and not more than \$5,000 and in default of payment to imprisonment for a term of not more than ~~100 days~~, 6 months,
ii See note on the opposite page.

(c) for a third or subsequent offence

(i) in the case of a natural person to imprisonment for a term of not less than ~~one~~^{six} months and not more than ~~six months~~ five years, or

(ii) in the case of a corporation, to a fine of not less than ~~\$10,000~~^{\$50,000} and not more than ~~\$50,000~~^{\$250,000} or imprisonment for 6 months to 5 years.

NOTE: 12. Penalties for damage, etc. to a wilderness area.

13. The Minister may prohibit or restrict travel in a wilderness area during any period either absolutely or except under the authority of a permit issued by or on behalf of the Minister.

NOTE: 13. Travel restrictions.

14. This Act comes into force on the day upon which it is assented to.

A RESPONSE
TO THE
PROPOSED BILL 106 - AN ACT RESPECTING
WILDERNESS AREAS, PROVINCE OF ALBERTA, 1970

SUBMITTED BY
THE CANADIAN SOCIETY OF WILDLIFE AND FISHERIES
BIOLOGISTS (ALBERTA CHAPTER)
EDMONTON, AUGUST, 1970

Position Statement of the Canadian Society of Wildlife and Fisheries Biologists in reply to the Proposed Bill 106 - An Act respecting Wilderness Areas, Alberta, 1970.

The Canadian Society of Wildlife and Fisheries Biologists suggests that the Government of Alberta, in proposing an Act respecting Wilderness Areas, in holding public hearings prior to the revision of this Act, and in presenting its revision for debate by our elected representatives, has demonstrated its responsibilities and has presented the people with an unique opportunity for making a decision about our natural environment. This opportunity is unique and of momentous importance because:

1. We can express and incorporate into the Law of this Province, our concern, our fears and our hopes about preserving the quality of our natural environment at a time when rapidly expanding economic demands, growing populations, increasing recreational activities and ever more mobile individuals and families are putting incalculable pressures on a delicately balanced, though, at the moment, resilient environment.
2. We can show that we have taken to heart the lessons learned through our delay in demonstrating our concerns about all types of environmental pollution, fifteen to fifty years after we were warned of the dangers of pollution.

3. We can demonstrate, to all governments in Canada, the realization that any sincere action towards preserving and conserving natural environments is a most significant step towards improving the quality of human life.
4. We can show, by an Act designed to express our concern for unexploited environment, that we will not accept the legacies of neighbouring jurisdictions. We have no more desire to be subjected to an Act which leaves development of natural areas to "the Minister's discretion" and the like of which produced devastation in Strathcona and Lord Tweedsmuir Provincial Parks in British Columbia than we have to inherit more effects of that Province's dams on our natural and human environment.

Therefore, the Canadian Society of Wildlife and Fisheries Biologists proposes:

1. That Wilderness Areas would be areas devoted to maintaining tracts of land and water and all associated geological features, flora and fauna in an unimpaired natural state.
2. That the boundaries of each area would be chosen with great care only after an ecological survey of the physical features and ecological systems was undertaken. The boundaries recommended should respect, as far as possible, the integrity of physical features and ecological systems. By this we mean that both the living and non-living components of an ecological system be identified and the relationships between their components respected.

An ecological system could be as small as two or three square miles or as large as several thousand square miles. It might be one lake fed by underground springs or a valley incorporating the headwaters of a river. It could be defined in terms of the annual ranges of large mammals or in terms of a watershed. It could be representative of prairie or forest, tundra or taiga.

3. That each area should be surrounded by a buffer zone both to protect the Wilderness Area and to protect surrounding lands and developments from occurrences within the Wilderness Area which are natural to it, but are hazards to developed areas.
4. That after public hearings on establishing, adding to, or reducing Wilderness Areas, the Advisory Committee on Wilderness Areas would recommend to the Premier that areas described by an ecological survey have their boundaries defined by a ground survey. Each Wilderness Area would then be incorporated into the Act.
5. That only non-motorized forms of transportation and only recreational activities compatible with the preserved character of an area to be permitted.
6. That only when programs to prevent forest fire and disease and/or parasite infestation have failed in the buffer zone and there is danger to human life and property should prevention programs be undertaken in a Wilderness Area.
7. That in all matters of Wilderness Area management, the Minister should act under the approval of the Advisory Committee on Wilderness Areas.

8. That Wilderness Areas must be freed of all deeds, titles, permits, etc., before establishment as Wilderness Areas and that no encumbrances be granted on any aspect of a Wilderness Area.

We suggest that non-management of natural areas is the highest form of management and is the only form of management applicable to Wilderness Areas. We emphasize this concept and the proposals for establishing and maintaining Wilderness Areas because we suggest that the geological features, flora and fauna of certain areas be preserved to ensure that:

1. Such tracts be maintained free of human impairment, settlement and exploratory, industrial and recreational development.
2. Such tracts be maintained for the benefit and enjoyment of future generations. As a society of professional ecologists and concerned individuals we know that the fact and quality of human life depends, at least, upon the quality of our non-human environment. We are fast depleting non-renewable energy reserves. We are having problems disposing of pollutants. In terms of quality of human life we observe an increasing demand for recreation and leisure activities in non-urban settings. However, we would argue that only certain activities are compatible with certain lands. Therefore, appropriate human activities in a Wilderness Area would appeal to only some people, just as those activities in a Provincial Park will appeal to others and those in a municipal curbing^{rink} to still others.

3. Such tracts provide the basis against which non-wilderness areas, in which human development has occurred, can be compared.
4. Such tracts can be used as reference areas for observational research by scientists. They must not be used as experimental areas involving manipulation of the environment or as sites for research stations.
5. The natural processes of evolutionary development of species of flora and fauna are relatively undisturbed.
6. Large areas of vegetation and bodies of standing and running waters are available for the replenishment of atmospheric oxygen.
7. Such areas can act as reservoirs of native populations and flora and fauna.

We stress that areas already considered or established as Wilderness Areas, such as the unexploited regions of Willmore Wilderness and Siffleur, White Goat and Ghost areas, be established as Wilderness Areas under this Act. It is to be hoped that the Provincial Government will declare a moratorium on issuing permits, leases, deeds, etc. on all potential Wilderness Areas in the Province until the Act is past. In conclusion, we urge that this opportunity to demonstrate a sincere and far reaching concern for the quality of the natural environment in the Province of Alberta not be allowed to wither and decay.

Responses to Sections of Bill 106

2. Definitions: (to replace section 2, subsection(d) and add to section 2)

- (d) "Wilderness Area" should be redefined to mean - an area of land and water in which the natural states of associated geological features, flora and fauna are preserved.
- (e) "Buffer Area" means land adjacent to and encircling, as a continuous belt, designated Wilderness areas for the purpose of protecting Wilderness Areas and for preventing damage to natural resources and property existing outside the buffer area.

Definitions (a), (b) and (c) are satisfactory.

3. Establishment of Wilderness Areas: (to replace section 3)

- (1) Land considered for classification as Wilderness Area must be described by an ecological survey. Such a survey should include studies of the physical feature and ecological systems to be preserved. Boundaries recommended on the basis of such studies should maintain the integrity of the physical feature, ecological systems and annual ranges of groups of large mammals.
- (2) The Premier, may grant approval for the establishment of Wilderness Areas on the basis of an ecological survey of each area and the recommendations of the Advisory Committee on Wilderness Areas subject to Subsection 5.

- (3) Upon approval granted for establishment by the Premier a ground survey of the recommended boundaries of each proposed Wilderness Area shall be conducted in accordance with the Alberta Surveys Act.
 - (4) Upon the basis of the ground survey, each Wilderness Area shall be legally established by means of incorporation into this Act in the form of an amendment.
 - (5) Public lands to be established, subject to subsection 5, as Wilderness Areas are those presently defined by the Province of Alberta as such and to be modified to conform to this Act, those listed in a Schedule, and all other lands recommended by the Advisory Council.
4. Purpose of Wilderness Areas: (to replace section 4)
- Wilderness Areas are established for the purpose of preserving the geological features, flora and fauna of tracts of land to ensure that:
1. Such tracts be maintained free of human impairment, settlement and industrial, exploratory and recreational development.
 2. Such tracts be maintained for the benefit and enjoyment of future generations.
 3. Such tracts provide the basis against which outside non-wilderness areas, in which human development has occurred, can be compared.
 4. Such tracts be used as reference areas for observational research by scientists. They must not be used as experimental areas involving manipulation of the environment or as sites for research stations.

5. The natural processes of evolutionary development of species of flora and fauna are relatively undisturbed.
6. Large areas of vegetation and bodies of standing and running waters are available for the replenishment of atmospheric oxygen.
7. Such areas can act as reservoirs of native population and flora and fauna.

5. Advisory Committee on Wilderness Areas:

- (1) The Premier shall establish a committee called the "Advisory Committee on Wilderness Areas" consisting of five or more members and shall designate one of the members as chairman.
- (2) The members appointed shall not be employees of the Government.
- (3) Delete the clause "who are not employees of the Government" in section 5, subsection (3).
- (4) Section 5, subsection 4 is satisfactory.
- (5) Substitute the "Premier" for the "Minister" in Section 5, subsection (5). Substitute "information" for "consideration" in section 5, subsection (6).
- (6) Subsection 6 is satisfactory.
- (7) Programs for Preservation and Maintenance of Wilderness Areas:
Insert in section 7 "Upon the Minister having sought and received approval from the Advisory Committee" the Minister may carry out or cause to be carried out....
Add to section 7, subsection (a) following "the wilderness area" the clause "if such life is endangered by events caused by human activities."

Delete section 7, subsection (b).

(8) Disposition of Public Lands in Wilderness Areas: (to replace section 8, subsections (1) (2)).

- (1) Subject to subsection (2) no disposition shall be made by or on behalf of the Crown of any estate or interest in public lands in a Wilderness Area under The Public Lands Act, 1966, The Forests Act, 1961, The Mines and Minerals Act, 1962, or any other Act.
- (2) Where the Crown is under a legal liability to make a disposition of an estate or interest established in a Wilderness Area, prior to the establishment of that Wilderness Area by this Act or by an amendment to this Act, the Crown shall expropriate with negotiated payment, the estate or interest.
- (3) Delete section 8, subsection (3).
- (4) A disposition made in contravention of this section is void.

9. Construction of certain utilities in a Wilderness Area: (to replace section 9).

- (1) No Minister of the Crown or any person authorized by an Act to do so shall grant any permission, whether termed approval, consent, permit, license, certificate, or other term which would empower the person to whom it is granted to expropriate any estate or interest in land in a Wilderness Area.

- (2) Prior to the establishment of a Wilderness Area by this Act, the Crown shall rescind or expropriate or expropriate with payment all permissions defined in subsection (1) that were existent on any estates or interests in land in the proposed Wilderness Area prior to the establishment of that Area.

10. Government Prohibited from Construction in a Wilderness Area:
Section 10 is satisfactory.

11. Prohibited Use of Wilderness Areas:

Section 11, subsection (1) is satisfactory.

(the following subsections are to replace subsection (2) and to add to this section)

(2) The following acts are permitted in a Wilderness Area:

(a) The carrying out of measures or programs authorized or approved by the Advisory Council pursuant to section 7, and

(b) The carrying out of measures or programs by the Advisory Council or its agent through the use of any means of transportation or any equipment or the doing of any act in connection with

(i) the prevention of damage caused by human

activities, other than fire, to natural resources,

(ii) emergencies involving the health or safety of persons,

(iii) the establishment of trailsides, lakesides, riversides or streamside shelters for human safety.

(3) The following measures or programs subsequent to subsection

(2) (a) are not permitted to be carried out in Wilderness Areas unless the phenomena which are the targets of the measures or programs, are hazards to human life and property outside the buffer zone encircling the Wilderness Area and have not been halted or extinguished within the buffer zones or unless the phenomena have developed outside the buffer zones and have not been halted or extinguished within the buffer zone:

(a) the prevention or extinguishing of forest fires.

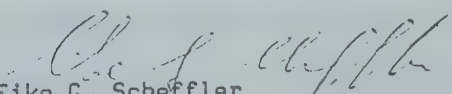
(b) the prevention or eradication of parasitic and/or disease conditions among flora and fauna.

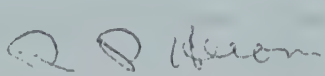
(4) Subsection (3) is satisfactory.

12. Section 12 is satisfactory.

13. Section 13 is replaced by the statement "The Minister acting upon the approval of the Advisory Committee or its agent may prohibit or restrict travel in a Wilderness Area during any period absolutely or except under the authority of a permit issued by or on behalf of the Minister.

Respectfully submitted,


Eike G. Scheffler
Secretary Treasurer
Alberta Chapter
Canadian Society of
Wildlife and Fisheries Biologists.

and, 
R. P. Heron
Chairman,
Committee on Parks,
Canadian Society of Wildlife
and Fisheries Biologists.

Gentlemen:

Thank you for the opportunity to express our views on the proposed wilderness act. This is the first time I can recall Albertans being publicly invited to comment on proposed legislation before its passage, and we do appreciate the opportunity.

We definitely approve of the Bill 106 in principle. However there are some areas which give cause for concern. In this brief I shall talk first of areas where Bill 106 should provide stronger protection for our wilderness areas.

Secondly, I will suggest a few potential wilderness areas.

Lastly, the penalties prescribed under the Act require some comment.

Regarding protection for the sanctity of wilderness areas, we feel that any boundary changes must require passage before legislature. Orders in council are not good enough. Every Albertan feels a sense of ownership of park and wilderness areas, and to dispose of that real estate of his behind the closed door of a cabinet meeting is undemocratic at best. Sections 3-1 and 5-C must be changed to ensure debate in legislature.

Next, the Act allows for the possibility of some mineral development, pipeline construction and possibly dam building. This is totally incompatible with the wilderness concept. No commercial operation is acceptable. Such timber removal and renewable resource harvesting as is required for good management should be done by Lands and Forests personnel. The past record of corporations and private citizens is not good enough to

risk allowing their entry for commercial reasons. Any existing leases or commitments in any wilderness area should be purchased or expropriated by the Crown.

Further, the Act should provide for the establishment of buffer areas of limited resource development around those wilderness areas likely to be seriously threatened by their nearness to concentrated activity. For example, a wilderness established to protect denning areas of the Swan Hills grizzly would be a waste if it were ringed with gas plants.

Regarding areas suitable for establishment under the Act, we are mostly concerned with having some guaranteed wilderness. The specific areas designated are less important to us. However might we suggest for openers the current Willmore Wilderness Park, Siffleur wilderness, White Goat Wilderness, and an area where the Swan Hills grizzlies live.

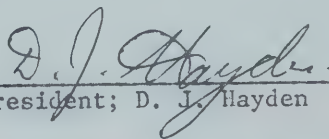
Regarding penalties under the Act, we have two comments. All fines should be in addition to the costs of restoring or cleaning up after the infraction. Also, the penalties for corporations are but a slap on the hand until the third conviction. May we suggest \$1,000 to \$5,000 for first offense and \$5,000 to \$10,000 for second offense.

Until the new wilderness act is passed in the legislature, there should be a moratorium on the sale of natural resource leases in areas of concern. We feel that any infringements of this nature in proposed or established wilderness areas must be discouraged. It is much cheaper to prevent development than to undo it later.

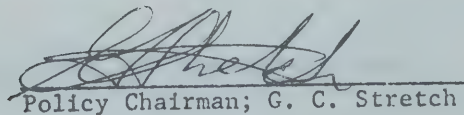
In summary, wilderness areas must be established and altered only on the floor of the assembly. They must be inviolate; no commercial use is acceptable. There should be a provision for buffer areas around the wilderness where necessary. All lease and license sales for likely areas should be temporarily suspended.

Lastly, the penalties should include restoration costs, and should be stiffened for corporations on first and second offenses.

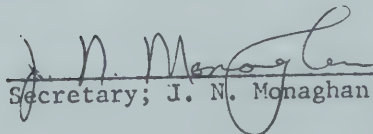
In conclusion may I say that this province can be proud of taking the lead in exposing the mercury menace. This took courage; the type that will be necessary to provide wilderness legislation acceptable to Albertans.



President; D. J. Hayden



Policy Chairman; G. C. Stretch



Secretary; J. N. Monaghan

**S. ALBERT & DISTRICT
T. ALBERT FISH & GAME
ASSOCIATION**
BOX 158 ST. ALBERT ALBERTA

A SUBMISSION CONCERNING ALBERTA LEGISLATURE

BILL 106

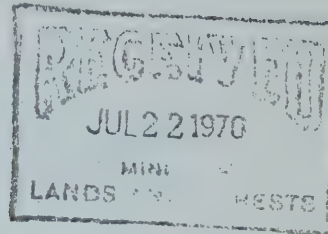
"An Act Respecting Wilderness Areas"

by The St. Albert and District Fish and Game Association

* (18)

Marwayne, Alberta
July 20, 1970

Hon. J. Donevan Ross, BA, M.D.
Minister of Lands and Forests,
Government of the Province of Alberta
Edmonton, Alberta



Dear Sir;

Re: Bill 106 An Act Respecting Wilderness Areas

In regards to the above bill it is our opinion that the Corporations that are involved in our Natural resources should not be initially allowed to be in a position where a minimum fine or penalty could result.

It is a much better idea in our opinion to have wilderness areas solely for the wildlife and nature that thrives in a said area and that no one but pedestrians should be allowed to enter within these boundaries.

No fine or penalty is great enough to stop an oil or mineral operation from spoiling our wildlife. The secret of control lies in the restrictions that are set and enforced in the first place. The only way this can effectively be controlled is to have wilderness areas solely for wilderness areas and not allow any other activity no matter what the revenue, for once an area is infested with industry our wilderness dies.

Our natural resources and wildlife cannot be replaced by money, oil, and gas dividends or by all the praying and wishing by every hunter and sportsman in the world once they are depleted.

We therefore advocate for Wilderness areas solely for wilderness areas and that these areas be off limits for any and every Company, Corporations, and individual who has other than the preservation of wildlife on his mind.

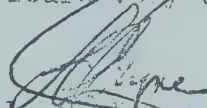
So when a wilderness area is established let it be just that, with no exception and if the laws are properly drawn up, there should not be enough money in the world to purchase a permit to allow a corporation or individual to enter these areas and prospect.

Until these restrictions are set and enforced our wildlife will continue to be in danger.

At the present rate of control it is our prediction that within the next fifty years we will not have a game animal, bird, or fish to enjoy, and if we do, they will be contaminated by some industrial chemical, along with our entire population of human beings.

We have faith in our administration and offer our whole-hearted support, and are most anxious to get this situation under control once and for all and are assured that you will do your utmost to apply the necessary.

Yours very truly,

A handwritten signature in dark ink, appearing to read "L. C. Lipse", written over the typed name.

L. C. Lipse, Sec.,

Marwayne Fish and Game Association

B R I E F

Prepared for Public Meetings
for purpose discussing proposed
Wilderness Areas Act Bill 106
1970.

The Conservation Fraternity of Alberta lists as one of its objectives the following: "to secure and perpetuate natural environment in which the quality of man's life is enhanced by contact with natural beauty and utility in an atmosphere of clean air, clean water and clean soil".

Our organization is therefore most concerned that the proposed Wilderness Areas Act or Bill 106 is an effective piece of legislation. The people of Alberta are presented with a unique opportunity to establish legislation that will perpetuate natural environments. This opportunity must be seized and employed promptly as such an occasion may never arise again.

It is with this approach in mind that the Conservation Fraternity of Alberta has reviewed this legislation. It is the position of the Conservation Fraternity of Alberta that Bill 106 is inadequate to achieve objectives which should be sought. It is felt that legislation should be re-thought with more emphasis being placed on obtaining the opinion of biologists, etc.

The most important aspect of the Bill is that it does not set out to achieve it's only possible purpose, that of establishing true wilderness areas. It is recognized that the explanatory notes accompanying the Bill do not compose part of the Bill itself, however, they may be indicative of the draughtman's intent and can certainly influence anyone considering the Bill. From paragraph 1 in the explanatory notes we discover

that it is designed to effect the establishment of wilderness areas of "modest size" in various locations throughout the Province.

One can contemplate a series of postage stamp sized areas scattered through the Province - failing in any way to achieve wilderness status. If one confines his examination to the statute itself no limitation is spelled out. Concern must be expressed that anyone dealing with the Act if passed in its present form would take just such an interpretation. It is generally agreed that to be of any purpose such areas should be composed of 300 square miles.

It is felt that the procedures for establishing such areas are not sufficient as all good counselling may end in frustration through cabinet action or inaction. Efficiency is established as the Bill stands, however, effective democratic procedures are omitted in favour of a powerless advisory board. Everyone should be heard that expresses an interest but they should also retain the hope that their views may be translated into action.

On further review of the Bill itself it appears that section 4 is entirely unnecessary and is unusual in that it is highly subjective in nature. Such subjective statements are more normally found in a preamble to the legislation itself.

As referred to earlier it is felt that the Advisory Committee can be of little benefit as it has no function beyond hearing representations and making recommendations.

It is suggested that any such committee should be composed of personnel with scientific background. It is also absolutely essential that the chairman of the committee be a person designated from the non-government employee section of the committee. The credibility and integrity of the committee should be the foremost characteristic in it's selection, all motivation of the members should be beyond question at all times.

Section 7 of Bill 106 provides for activities which may be carried on by the Minister. Once again it is to be noted that executive discretion controls any activities pursuant to this section. It is suggested that activities to be carried out by the Minister only on the direction of the Advisory Committee. In any event all policies and practices should be referred to the Advisory Committee. Any emergency activities should be defined in advance by the Advisory Committee.

Bill 106 is of a complete waste of effort if sections 8 and 9 are permitted to remain as part of the Act. The intent of the Bill is emasculated by these sections. There are very few areas of the Province of Alberta that do not have legal liabilities already existing. If this situation is not corrected it is ^{not} too difficult to imagine a so called wilderness area crisscrossed with pipelines, denuded of forests, devastated by strip mining activities, commercial activities of every description.

There is only one possible way to establish an area and that is to wipe the slate clean if it is not already clean. Anything short of this is an exercise in futility.. Any person having acquired an interest of any type in an area should be entitled to have his initial investment returned along with compensation for any expense of development of any such rights.

As stated initially Bill 106 does not nearly measure up to the standard of legislation that the situation demands. This is an opportunity which may never appear again. Proper measures are required. Bill 106 does not meet the standard required, it should not be permitted to stand as it would be better to have nothing whatsoever rather than a statute that is completely ineffective and goes entirely against what should be it's proper interest.

EDWIN A. JELLIS
SECRETARY.

EDSON, Alberta,
July 27, 1970.

Deputy Minister,
Dept. Lands & Forests,
Edmonton, Alta.
c/o Chairman of Wilderness Committee

Dear Sir:

Due to adverse weather conditions which caused a delay in my haying operations, I will be unable to attend the public hearing concerning the proposed Wilderness Act scheduled for August the 4th at the Social Room, Jubilee Auditorium in Edmonton. As we, the Edson Fish and Game Association in whose behalf I am writing, are very much concerned about the preservation of wilderness areas in the Province, and certainly setting aside a few thousand square miles of wilderness could not have much effect on the economy of our Province.

Included in this letter you'll find a copy of several points which we think should be added to the proposed Wilderness Act.

Respectfully submitted,

Robert Tanghe

for

The Edson Fish and Game
Association and Gun Club

- (1) Wilderness areas should be established permanently for the purpose of preserving their natural beauty, ecology, and wilderness character and protecting them from impairment, settlement, and industrial development, and thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations
- (2) All previous permits for exploration and mineral rights should be cancelled immediately
- (3) No motorized vehicles of any kind should be permitted except for fire fighting, no airstrips or helicopter bases to be constructed
- (4) Only limited hunting should be permitted and no stock grazing of any kind
- (5) Boundaries of wilderness areas once established should never be moved to accomodate commercial or government enterprises
- (6) Wilderness acts should never be passed or altered by order in council, only after they have been thoroughly discussed on the floor of the Legislature

CONSERVATION COMMITTEE
ALPINE CLUB OF CANADA
EDMONTON SECTION
c/o 10946 79 AVENUE
EDMONTON, ALBERTA

Mrs Valarie Stephens

19 (20)

A BRIEF TO THE GOVERNMENT OF ALBERTA

respecting

BILL 106:

An Act Respecting Wilderness Areas

Edmonton, Alberta
August 1, 1970

I. THE ALPINE CLUB OF CANADA

The Alpine Club of Canada was founded in 1906 and incorporated three years later. The constitution of this club, among other things, expressly states as one of the purposes of the club "...the preservation of the natural beauties of the mountain places and of the flora and fauna in their habitat...". The Edmonton Section, as a formally constituted body of the Alpine Club of Canada, established a Conservation Committee to aid the Section in implementing this provision of the constitution. In view of this the Conservation Committee of the Edmonton Section of the Alpine Club of Canada wishes to make known the following views regarding Bill 106: An Act Respecting Wilderness Areas.

II. COMMENTS REGARDING THE CONCEPT OF WILDERNESS AREAS

1. Having recognized the need for wilderness preserves, the need for strong Legislative protection must also be recognized. Several factors compell this, and it will be on the basis of these factors that recommendations for modifications to Bill 106 will be made.

A. With the increasing population and conjointly with the surging demand for resources, particularly mineral and forestry, the prospect of restricted areas of land where resource extraction would be severely limited or impossible meets with strong opposition from those concerns whose profit derives from such activities and whose very existence depends on such activities. Thus unless the legislation establishing wilderness preserves is strong, the provisions of the legislation will be meaningless in the face of pressure against establishment, or addition, to wilderness areas, or for withdrawal of lands from wilderness areas, as may be desired by these concerns for their own profit. Furthermore, unless wilderness areas are strongly protected once established, their character may be destroyed by the activities of such concerns and many other types of human activity within the wilderness area, thus making the wilderness areas meaningless in terms of the purpose for which they are to be established.

B. In view of the increasing population and the increasing leisure time per capita, the need and the demand for recreation areas--in the broadest sense--also increases. A wilderness area is in a broad sense a recreation area in that it provides for those who travel within it a realm of experience alien to the everyday life of industrial society. Thus in order that any person who so desires may experience the wilderness and the benefits inherent in it, with increased demand, a greater wilderness area is necessary to fulfill the needs of the population. Thus Bill 106, if its provisions give sufficient protection for the wilderness, will permit this to be done.

C. Scientifically, the wilderness areas provide for the study of nature undisturbed by the impingements of man's activities. They provide for the preservation of species of life which otherwise might become extinct, or which are incompatible with large numbers of men--for example, in this last case, the Grizzly bear. These areas must be allowed to exist as wilderness and thus require sufficient protection from the incursions of man and his activities.

D. The industrial activities of man inevitably transform the natural world around them and often pollute and destroy them. Thus the activities are an anathema for wilderness areas. The Act must, therefore, clearly prevent such activities as would destroy the character of the land. This concern is indicated in Bill 106, Section 4, which indicates the purpose of wilderness areas. Thus if one closely examines the purpose of a wilderness area outlined in Section 4, any activities except those transient and those whose traces are fully and rapidly repairable cannot be compatible with a wilderness area and thus must be prohibited.

III. COMMENTS ON AND RECOMMENDATIONS FOR BILL 106

In view of the forgoing considerations, the Conservation Committee of the Edmonton Section of the Alpine Club of Canada, although praising the Government of Alberta for its concern and intent in proposing Bill 106, makes the following recommendations with respect to Bill 106, beginning with SECTION 3.

SECTION 3: Since the purpose of the Act is to preserve wilderness areas, we do not consider that lands for wilderness areas need necessarily be public lands. This would permit the protection of wilderness and specific species of flora and fauna wherever they may exist. Thus we recommend that SECTION 3 (1) be changed to read:

3. (1) The lands within the areas described in a schedule promulgated by the Lieutenant Governor in Council are hereby established as wilderness areas.

SECTION 3 (2) we recommend remain unchanged.

This modification clearly necessitates provisions be made for expropriation of and compensation for private lands and rights to public lands which are to fall within a wilderness area. This will be provided for in subsequent recommendations.

SECTION 4: This section as it stands, provides an excellent statement of the purpose of wilderness areas, correctly emphasizing the intent of maintaining these areas unchanged by man. However, in view of our preliminary comments regarding the value of wilderness areas (II: B,C,D), we see the need for a strong definition of a wilderness area. Thus we would add a further subsection to SECTION 4 which would now read

as follows:

4. (1) Wilderness areas are established for the purpose of preserving their natural beauty and wilderness character and protecting them from impairment, settlement and industrial development, and thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations.

4. (2) A wilderness in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are relatively untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined in the Act to mean an area of relatively undeveloped land and water retaining its primeval character and influence, without permanent improvements, which is protected and managed so as to preserve its natural conditions and which

(a) is affected primarily by the forces of nature with the imprint of man's work substantially unnoticeable;

(b) has outstanding opportunities for solitude;

(c) is of sufficient size to

(i) allow two day's walking in any direction, or

(ii) contains a viable ecological unit of sufficient size to afford protection for such large animals as bears, cougars and wolves; and

(d) may also contain ecological, geological, or other features of scientific, educational or scenic value.

SECTION 5 : The establishment of the "Advisory Committee on Wilderness Areas" is a necessary move so that difficulties regarding lands in or for wilderness areas may be adequately reviewed and examined before proposals are made. Thus, no doubt must be left that the "Advisory Committee" shall in fact exist. Thus in Section 5 (1) and 5 (3) "may" should be changed to "shall". Section 5 (5) provides for the functions of the Advisory Committee. In order that expropriation and compensation claims be dealt with, we recommend that the Advisory Committee be charged with the task. By use of the Advisory Committee, in that its recommendations must be passed to the Minister for approval, we feel that those confronted with expropriation will be permitted full opportunity for fair treatment.

Withdrawal of lands from wilderness areas is a critical problem for the fulfillment of the purposes of a wilderness area as established by the Act. If a wilderness area is to fulfill the purposes for which it be established, then its depletion by withdrawal of lands must be based on and compatible with the fulfillment of these purposes. Thus we feel that withdrawal procedures require special considerations, in particular, special approval of the Legislature. Such a procedure, we recognize to be unusual.

However we feel that it is crucial for the adequate fulfillment of the purposes of wilderness areas that wilderness areas be provided the security of authorization by the Legislature of withdrawal proposals. Thus we recommend that Section 5 (5) (c) be modified to establish that orders-in-council regarding withdrawal of lands be subject to the approval of the Legislature before such orders become effective. Thus we recommend that Section 5 be modified to read:

5. (1) The Lieutenant Governor in Council shall cause to be established a committee called the "Advisory Committee on Wilderness Areas" consisting of five or more members, one of whom shall be designated as Chairman.

5. (2) A majority of the members appointed shall be persons who are not employees of the Government, and the non-governmental members shall be appointed by the Environment Conservation Authority.

5. (3) The Lieutenant Governor in Council shall authorize, fix and provide for the payment of remuneration and expenses of any of the members of the Advisory Committee who are not employees of the Government.

5. (4) The Advisory Committee shall meet at the call of the Chairman.

5. (5) The Advisory Committee shall from time to time consider and make recommendations to the Minister for

(a) establishing a new wilderness area, or

(b) adding land to an existing wilderness area, or

(c) setting compensation for expropriation of land in an existing wilderness area, in a proposed wilderness area, or in a proposed addition to a wilderness area, or

(d) the withdrawal of lands from a wilderness area subject to Section 5 (7) of this Act.

5. (6) The Advisory Committee shall refer any recommendations made by it under subsection (5) to the Environment Conservation Authority for its consideration.

5. (7) Recommendations to the Minister from the Advisory Committee or the Environmental Conservation Authority regarding withdrawal of lands from a wilderness area shall be contained in a schedule promulgated by the Lieutenant Governor in Council subject to and only subsequent to approval of the Legislature.

SECTION 6: This section in that it provides for public hearings must be commended. That the public be aware of, and be given opportunity to respond to, any proposal for establishment, addition, or withdrawal of lands from wilderness areas, as well as those faced with expropriation be provided such opportunity is essential. We feel that any recommendation made

under Section 5 (5), 5 (6) or 5 (7) should be given public hearings. In order to facilitate communication on such proposals, public hearings should be at least twice a year, and in both northern and southern areas of the Province. Thus we recommend that Section 6 read as follows:

6. The Advisory Committee shall, at least twice a year or more often as required, hold public hearings, one north of Red Deer and one south of Red Deer for the purpose of receiving and hearing submissions and representations respecting

(a) any recommendations made by it under Section 5, subsection (5), or

(b) any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any lands to, or the withdrawal of any lands from, an existing wilderness area, or

(c) the Advisory Committee shall establish the dates of hearings at least 60 days in advance of the hearing, or

(d) the Advisory Committee shall make public announcement at least 30 days in advance of each hearing, of the proposals to be considered at the hearing.

SECTION 7: This section provides for maintenance of wilderness areas, a necessary and important provision. However, as the section stands we feel that the scope of maintenance activity may prove in the future to be too limited. Thus we recommend that a paragraph regarding the writing of a Wilderness Management Policy for the maintenance of natural conditions within wilderness areas (as defined in Section 4, as we have recommended that section to read), be added. Thus we recommend that Section 7 read:

7. (1) The Minister shall charge the Advisory Committee to write a "Management Policy for Wilderness Areas" which will provide for the implementation of conditions specified in Section 4, and which shall remain within the limitations specified in Section 11 (2) regarding alteration of the natural flora and fauna, and shall provide for the restoration of natural conditions where the works of men have already intruded.

7. (2) Subject to the Management Policy for Wilderness Areas, the Minister may carry out or cause to be carried out measures or programs in a wilderness area, or approve the carrying out by other persons of measures or programs in a wilderness area,

(a) for the preservation of plant and animal life indigenous to the wilderness area,

(b) for the maintenance of stable watershed conditions,

(c) for ecological and other scientific research that does not involve any physical disturbance of the area, and

(d) generally, for the preservation and protection of the wilderness

(d) generally, for the preservation and protection of the wilderness area and for any other purpose for which wilderness areas are established.

7. (3) The Management Policy for Wilderness Areas shall be reviewed by the Advisory Committee, the Environment Conservation Authority and the Minister every three years, and a public hearing shall be held every three years specifically to deal with the hearing of proposals regarding the Policy.

SECTION 8: As indicated in our preliminary comments, industrial activity is destructive of wilderness. Thus any provision for industrial activity at any of the primary, secondary or tertiary industrial levels is contradictory to the purpose and definition of the wilderness areas as specified in Section 4. Thus any private lands or rights to public lands, must be subject to expropriation in order to establish sufficient protection for wilderness areas, provided compensation, as earlier outlined, be made. Thus we recommend that Section 8 read:

8. (1) No disposition shall be made by or on behalf of the Crown of any estate or interest in public lands in a wilderness area by any Provincial Act.

8. (2) Where there has been any previous disposition of any estate or interest in public lands or there are any private lands in a wilderness area, such estates or interests or private lands should be expropriated.

8. (3) Where estates or interests in public lands or private lands are expropriated under subsection (2) the person or persons subject to such expropriation shall be entitled to compensation determined by a hearing before the Advisory Committee on Wilderness Areas.

SECTION 9: The comments regarding Section 8 apply here also. If industrial activity, in particular, mineral extraction is permitted, the entire Bill 106 becomes meaningless as a protection for wilderness areas as defined in Section 4. Thus such activities must be completely forbidden or stringently controlled and limited. Thus we propose two alternate readings for Section 9, the first to which we agree fully, the second to which we assent only in a compromise situation. The alternate proposals in order of preference are:

9. (1) No Minister of the Crown or any person authorized by an Act to do so shall grant any permission, whether termed approval, consent, permit, licence, certificate, or other term, which would in the absence of the subsection, empower the person to whom it is granted to expropriate any estate or interest in land in a wilderness area.

9. (2) All wilderness areas shall be exempt from any Legislation or regulation that would permit such land to be made available for mineral exploration, extraction or transportation, or any other activities which would interfere with and alter the primitive and unviolated character of the wilderness areas.

OR 9. (1) All mineral recovery operations in wilderness areas shall:

(a) be conducted in a manner to be determined by the Advisory Committee on Wilderness Areas, such operation to cause minimal ecological damage;

(b) be serviced only by a minimum of roads; no roads shall be constructed until it is determined by the Advisory Committee on Wilderness Areas that such roads are warranted; and

(c) not pollute land, air or water.

9. (2) For mineral transportation from or through a wilderness area, all facilities shall:

(a) be of such nature as to cause minimal ecological damage;

(b) be checked and kept in good repair to prevent leakage and pollution; and

(c) be serviced only by those trails and roads necessary for maintenance.

9. (3) The operators of such mineral exploration, recovery and transportation as may be permitted in wilderness areas shall, upon completion of operations, be responsible both for the elimination of all signs of their activity and for the cost of this elimination of all signs of activity.

9. (4) Contravention of this Section shall result in liability as determined in Section 12 (2).

SECTION 10: This, as it stands, conforms to our position regarding wilderness areas. We thus recommend that it remain unchanged.

SECTION 11: This Section provides what could be interpreted as a fully adequate limitation on transportation in wilderness areas. However the wording in certain clauses does not provide a completely unambiguous statement of limitation. Thus we recommend that Section 11 read:

11. (1) Subject to subsection (2), no person shall

(a) travel in a wilderness area except on foot, on horseback, or by means of a vehicle or boat that is not motor-powered, nor travel in a wilderness area using any form of motor-powered vehicle, or

(b) enter or travel within a wilderness area except for the purpose of walking, hiking, skiing, snowshoeing, boating, fishing or bicycling, or

(c) land an aircraft in a wilderness area, or fly an aircraft lower than 2000 feet above the highest point in the wilderness

area, or

(d) leave any sign of his passage nor deposit any litter, garbage or refuse in a wilderness area except in areas and containers provided for that purpose.

11. (2) The following acts are permitted in a wilderness area:

(a) the carrying out of measures or programs authorized or approved by the Minister pursuant to Section 7, and

(b) The use of any means of transportation or any equipment and the doing of any act in connection with

(i) the prevention or extinguishing of forest fires, or

(ii) the prevention of damage to natural resources or property, or

(iii) emergencies involving the health and safety of persons, or

11. (3) Hunting shall not be permitted in a wilderness area.

11. (4) A person who contravenes subsections (1) or (3) is guilty of an offence and liable on summary conviction to a fine of not less than \$50 and not more than \$500 and in default of payment to imprisonment for a term not exceeding three months and restitution of any damage caused.

11. (5) Sections (1), (2), (3), (4) apply mutatis mutandis to a Crown corporation or other corporation, board, commission or body the members of which are appointed by an Act of the Legislature, the Lieutenant Governor in Council or a Minister of the Crown or any combination thereof.

SECTION 12: The imposition of penalties for damages to wilderness areas is clearly a necessary provision so as to further protect the areas. However Bill 106 makes no provision for responsibility for restitution of damages. Furthermore, the phrase "...lawful justification or authority..." does not specify the source of such justification or authority. In addition if a corporation or any other enterprise has been permitted access to a wilderness area, and in view of the definition and purpose of a wilderness area, we must consider their presence to be a privilege. Thus any violation or damage should result in the loss of this privilege. Thus we recommend that SECTION 12 read:

12. (1) Any person who, without lawful justification or authority as under Section 11 (2), destroys or damages or pollutes any land, water, plant life or animal life in a wilderness area is guilty of

an offence and liable on summary conviction:

(a) for the first offence, to a fine of not less than \$50 and not more than \$1000 and in default of payment to imprisonment for a term of not more than 60 days and restitution of any damage caused;

(b) for a second offence, to a fine of not less than \$1000 and not more than \$5000 and in default of payment to imprisonment for a term of not more than 120 days and restitution of any damage caused;

(c) for a third or subsequent offence, to imprisonment of not less than one month and not more than six months and restitution of any damage caused.

12 (2) Any corporation or other enterprise which destroys or damages or pollutes any land, water or plant life in a wilderness area beyond reclamation of the land and flora, or which pollutes water or destroys animal life is guilty of an offence and is liable

(a) to a fine of not less than \$10,000 and not more than \$50,000, and

(b) for total restitution of damage caused, and

(c) to the automatic loss of rights to operate in wilderness areas.

SECTION 13: We recommend that this Section be unchanged.

SECTION 14: Existing wilderness legislation, in particular, that which established wilderness areas, should be brought under the provisions of Bill 106. In addition it should be required that steps be taken to bring existing wilderness areas up to the standards of Bill 106. We recommend that Section 14 read:

14. This Act shall

(a) come into force on the day upon which it is assented to,

(b) supercede all existing legislation, and

(c) be implemented to bring the existing wilderness areas in the Province up to the standards of the Act.

This last set of recommendations should not be interpreted to mean that we wish the Acts establishing existing wilderness areas to be repealed, only that we wish such areas to be brought under this Bill subsequent to it becoming assented to legislation.

We do not wish that our perhaps harsh treatment of Bill 106 to be interpreted as disapproval of the Government's intentions in proposing this legislation, but rather as a contribution to these intentions. We should again like to commend the Government of Alberta for proposing this legislation and for providing the opportunity for the public to make recommendations.

We sincerely hope that our recommendations along with others submitted will result in adequate protection for wilderness areas.

Conservation Committee, Alpine Club of Canada, Edmonton Section
Chairman: Dr. H. W. Habgood

cc: Mr. Phil Dowling, President, Alpine Club of Canada
Dr. H. W. Habgood, Chairman, Conservation Committee, Alpine Club of
Canada
John Atkinson, Chairman, Alpine Club of Canada, Calgary Section
Dr. Ernest Reinhold, Chairman, Alpine Club of Canada, Edmonton Section
Mr. Floyd Stromstedt, President, Alberta Wilderness Association
Dr. H. Buckmaster, Chairman, Calgary-Banff Chapter, National and
Provincial Parks Association of Canada
Mr. Gavin Henderson, Executive Director, National and Provincial Parks
Association of Canada

(20)

RE WILDERNESS AREAS ACT

I would like to make the following comments on the proposed Wilderness Areas Act.

The bill is a complement to the minister. It is important to define and protect our wilderness areas now.

I have been curious about the purpose of the wilderness areas and am very pleased to see it stated so well in section 4. A definition of wilderness to complement the one presented in section 2 would be an asset.

The Advisory committee concept is a good one - perhaps they should have more power.

The disposition of lands in a wilderness area is well stated regarding future use. If possible present lease holdings should be withdrawn or bought back by the government. Development of present holdings would be incompatible with the wilderness areas stated purpose.

Prohibited use of wilderness areas, i. e. no motor vehicles, is compatible with the concept of wilderness. Violations are covered by sufficient punishment, however adequate patrolling particularly near access roads must accompany them.

The purpose for entering or travelling in a wilderness area is to enjoy the natural beauty and wilderness character it provides and with reference to 11(b) the listed activities are only means of travel and could be covered under the restriction "no motorized vehicles". Fishing is an exception to this and needs stating. Hunting should either be listed as prohibited or permissible.

Mrs. Dianne Hayley

RR#1 Ardrossan, Alberta



14366 Park Drive,
EDMONTON, Alberta,
July 27, 1970.

Dr. V. A. Wood,
Deputy Minister,
Dept. of Lands and Forests,
EDMONTON.

Dear Sir:

I noticed in the Edmonton Journal of July 26, 1970, that a public hearing regarding the proposed Wilderness Act will be held August 4th, 7:30 p.m. in the Jubilee Auditorium.

I suggest a strong recommendation be made that the jurisdiction over The Right of Entry Arbitration Act be removed from the Department of Mines and Minerals and placed under the control of the Department of Lands and Forests.

This one change in the administrative structure of government would solve untold problems in the future. It would leave the final say as to exploitation of resources to a group at least partially sympathetic to the environment.

Department of Lands and Forests' jurisdiction over the "Entry" Act should insure that exploiters entry into such areas as Cypress Hills and Willmore Wilderness (?) Park would be prevented.

Yours truly,

D. Cunie

JASPER FISH AND GAME ASSOCIATION

(23)

P.O. BOX 247
JASPER, ALBERTA

July 27 1970.

*Wood
lease reply on my behalf*

Dr. J Donovan Ross,
Minister of Lands & Forests,
Natural Resources Bldg.,
109 Street 99 Avenue,
Edmonton, Alberta.



Dear Sir:

With reference to the "Wilderness Act" (Bill 106) and the public hearings slated for late July & early August. As these hearings are to be held during the summer when a lot of our members are on vacation, or are too busy to attend, the nearest meeting being over 200 miles from Jasper it is necessary for us to do the next best thing by making our views known through this written submission. Hopefully, we may still get some representation at one of these public hearings.

Having the "Wilderness Areas" under the management of the Minister of Lands & Forests and setting up an advisory committee seems like a good idea. However a better definition is required for "Wilderness Areas" and why should it be limited to the use of "public" lands?. We feel that the advisory committee should be required to hold more public meetings especially in respect to making changes to existing Wilderness areas.

The Wilderness Act provides the Minister with broad powers to protect the wilderness and impose stiff penalties on violators causing damage to habitat or plant and animal life within the area. This is excellent, however what about restitution?.

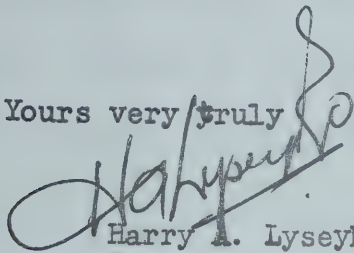
JASPER FISH AND GAME ASSOCIATION

P.O. BOX 247
JASPER, ALBERTA

- 3 -

In summation we must say that the "Wilderness Areas Act" is a good start, but it is only a start and this bill should be strengthened considerably. It must be very explicit so as not to leave loopholes through omission if we are to protect our heritage.

Yours very truly



Harry A. Lyseyko
Pres.

Gentlemen:

Bill 106 is not perfect but it is an excellent start at what could be a good, solid wilderness act which will be able to stand its ground in the face of the onslaught it can expect from exploitative renewable and non-renewable resource users. I feel, however, that certain changes are necessary if this act is to contain any real power. For example:

In Section 4

The purpose of wilderness has been well stated, but a definition of wilderness is lacking. Therefore if a definition of Wilderness is not present, the Wilderness act will not protect anything.

In Section 5

Orders in council signed by the Lieutenant Governor are too easily slid "under the table" so to speak, and can be done so with little or no public knowledge. Lands designated as wilderness areas should remain so in perpetuity and if in extreme cases changes are necessary, they should be accomplished on the floor of the legislature.

In Section 6 - Sub-section B

This sub-section allows for the withdrawl of lands from wilderness areas. Again, once a certain area has been set aside for a wilderness area it should remain so in perpetuity.

In Section 7

A stable watershed condition should mean a stable natural watershed condition which means no dams, no diversions, no roads, no logging, no mining etc. etc. This section is rather fuzzy and could be clarified considerably.

Section 8

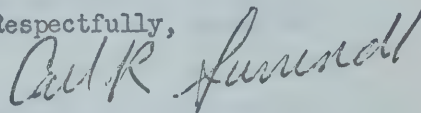
This section is the most critical and must be changed!! In its present state it does little or nothing to prevent exploitative types of resource users from moving in on any piece of unspoiled real estate they think they can make a profit on. At this time exploratory and exploitative action should be halted in and near high quality wilderness and outdoor recreation areas. Provision should be made to compensate industries and individuals who have received commitments from the government. These compensations should come in the form of buying back old leases, permits and rights etc. No obligations should be left open.

In recent years, the government of Alberta has been embarrassed several times due to secretive decisions by certain government departments regarding exploratory and exploitative activities in wilderness, park, and outdoor recreational areas. The Cypress Hills oil Fiasco, the Willmore Wilderness sacrifice, coal exploration in the Kananaskis-Elbow drainages and the planning ~~and construction~~ of the Big Horn Dam on the Kootenay Plains are just a few examples of the results of these non publicized actions. It almost appears that these items have been kept secret until they have progressed too far to be halted at which point they can be considered "Fait accompli" and from here on, all the public can do is voice their disfavor.

This situation can be avoided in only one way. That is to remove the "Right of Entry Arbitration Act" from the jurisdiction of the Department of Mines and Minerals and place it under the control of the Department of Lands and Forests. This is a move which I strongly recommend. It would leave the final say as to exploitation of renewable and non-renewable

natural resources to a department which is at least partially sympathetic to maintaining a quality environment, not just for us, but for our progeny, many generations hence. Indeed, if this act is not brought under the jurisdiction of the Department of Lands and Forests, any wilderness act will be hamstrung. We will have the "ammunition" but the "firing pin" will be missing from the "gun". The politicians and industrialists will continue to sell our resources to foreign interests, and these interests in turn, will continue to destroy our natural heritage. A Canadian nation, or for that matter, the Province of Alberta "owned and operated" by the U.S.A. is hardly my idea of a legacy for my progeny.

Respectfully,

A handwritten signature in cursive script, reading "Carl R. Surrendi". The signature is written in dark ink and is positioned to the right of the typed name.

Carl R. Surrendi
Citizen

PROPOSED WILDERNESS AREAS - Bill 106

In addition to heartily endorsing, and lending our full support to the proposals which the ALBERTA WILDERNESS ASSOCIATION is making regarding this bill, we would introduce the following ideas for changing the proposed bill as it now stands.

- (1) Disposition of wilderness areas appears to be properly covered. It is not clear how commercial exploration will be controlled. A new subsection under Section 8 could embody this.

PROPOSED: Section 8(5) - No group, aside from the legislative assembly may make any decision regarding the exploitation or exploration of a wilderness area for any commercial purpose, and unless permission is granted for this, it is prohibited.

- (2) As the bill presently stands, hunting is not a permitted activity in the wilderness areas. Without a proper game harvest, the wilderness areas would soon face the same problem as the National Parks regarding an overabundance of game that would ultimately be butchered anyway.

- (3) Our last natural habitat for the goat must be protected. We must preserve the right to hunt this animal locally. Hunting should be limited, however.

PROPOSED: Section 11(1)(e) - (No person shall, etc.) - hunt in a wilderness area, unless he is a properly licensed resident, or non-resident Canadian.

- (4) A new subsection should be added, regarding punishment for damage.

PROPOSED: Section 12(d) - For each day of continued violation, the penalty shall be re-levied as in the first instance.

H.A. FEDORIAK
E.C.P. Fish & Game Association

A Brief in respect to the Proposed Wilderness Act

(Bill 106, 1970 Alberta Legislature)

submitted by A. K. Zimmer, Vice- President, St. Albert & District Fish and Game Association

for consideration by the panel established to conduct a public hearing in respect to this proposed act, in Edmonton, Aug. 4, 1970

Gentlemen:

I would like to start my comments, by congratulating our Minister of Lands and Forests for recognizing the need for a wilderness act in Alberta, and having the courage to propose such an act to his fellow Members of the Government, and for having the courage to invite public comment to the proposed act during this hearing.

It is in order that I also express congratulations on behalf of the St. Albert & District Fish and Game Association to the Minister for his exemplary efforts in this matter. However, due to the scheduling of this hearing, it was not possible to discuss the subject act amongst our Association, as all activities of the Association have temporarily ceased for a two month holiday period.

I ask you therefore to consider all comments made below as my personal comment only. However there is little doubt in my mind that the opinions of our Association members would not differ much on the context of what I am about to say, had their been prior consultation with the membership pertaining to this brief.

My comments are as follows:

1. In general the proposed Act fails to specify what a wilderness area would be created for. Comparing Sect. 11. (1), Sect. 9. (2), and Sect. 8. (2), it appears that the definition of a wilderness area could be that of either

a) A park, in which hunting is not allowed

or

b) A game sanctuary

or

c) An area where exploitation of mineral resources and pipe-line construction is to have a sanctuary, except that people are allowed to walk around in it to see if there are still fish in any (possibly polluted) waters, which according to the act (Sect. 11) they would not be allowed to photograph.

Certainly, this is not what hunters and progressive conservationists understand as a definition of a wilderness area, or its purpose. It seems that someone "helped " the Minister to re-write portions of the bill, including the controversial sections 8 & 9, in order to get it passed easier in the Legislature.

(continued on page 2)

No doubt, certain areas in Alberta would benefit by creation of extra park-status land and/or game preserves, but let us not misname such areas as "Wilderness" areas.

What is really needed are Wilderness Areas where a man can stay a few days to live in a way God intended him to live, that is close to nature, without noise pollution, air pollution and water pollution and free to share in nature's wealth by hunting, fishing, or just plain admiring his environment.

Those who cherish hunting and open campfires are being squeezed out of suitable areas by park-status land on one side, and by the progress of commercialisation and industrialisation or agriculture on the other side.

Presently Alberta has a large portion of its land under park status, and the greater amount of accessible land is land occupied by agriculture, industry, cities, towns, dwellings, roads, dams, or is otherwise in private hands.

The remaining land is being explored and exploited for minerals, oil, gas, and lumber, as if there were no tomorrow, and other remaining land is being flooded by dams, or drained by costly water diversion schemes.

Wilderness Areas, as proposed, should therefore include provisions to allow hunting there-in, subject to regulations, in order that there be some areas left for true hunting sport for present day hunters, and future generations of Albertans desiring to hunt regardless of whether their parents were hunters or not.

Man was part of nature for thousands of years and has hunted game in true wilderness for thousands of years, without disturbing this wilderness to great harm. Land which was hunted in by Indians for centuries was still in primitive wilderness state, when taken over by the white man. As a matter of fact all land presently under National Park status had been so hunted in by the Indians and its primitive wilderness was, still so great that it was made into parks by us. What more proof is necessary that wilderness areas are not being disturbed by hunting? It is in my opinion worse, to prohibit hunting in wilderness areas, since once wild animals lose their fear of man to become as tame as in a zoo, only to over-populate themselves to be slaughtered by Government Wardens like in a shooting gallery, as is the case in our present parks, where hunting is not permitted,

The same argument holds true as far as permission of open camp-fires is concerned. No doubt Indians had such fires in areas presently under park status, and apparently the wilderness did not suffer any great harm from such fires, which were probably lit in those areas for as long as the Indian considered himself sole owner of the land. It stands to reason therefore, that open camp fires should be permitted in a wilderness area, providing they are properly tended. The Act should however provide authority for the Minister to temporarily suspend permission for such fires during critical dry periods in a given area.

(Brief in respect to Wilderness Act/ AKZ/ Page 3)

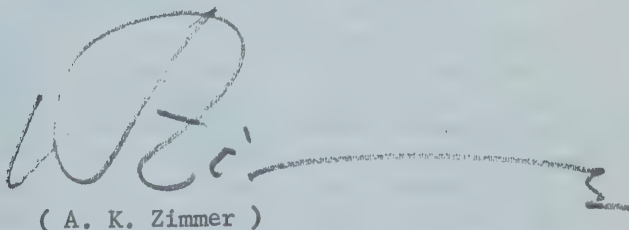
2. In detail and summary I ask the Panel to consider that the proposed Act be changed to include the following:

Wilderness Areas as proposed shall be

- a) closed to all commercial and industrial development, regardless present Crown obligations (these could be solved by financial re-imbursement and/or expropriation by the Crown)
- b) not be disturbed by man-made alterations or construction such as roads, buildings, campsites, fences, dams, water diversion or drainage, etc.
- c) open to the public for travel by foot, horse or pack-animal, travel by muscuarly propelled water conveyances, such as rafts, canoes, etc.
- d) closed to all vehicles, conveyances and equipment propelled or driven by combustion engines or electric motors, including chain saws.
- e) open to camping, hiking swimming, climbing, photography, as well as to fishing and hunting subject to regulations.
- f) area(s) were open camp fires are permitted, except during specified critical dry periods during which the Minister should have the authority to ban use of open fires temporarily.

Submitted on August 4, 1970

by Yours Very Truly

A handwritten signature in dark ink, appearing to read 'A. K. Zimmer', with a long horizontal line extending to the right.

(A. K. Zimmer)

Sportsman's

J. Peter Benson
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(27)

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August 4/70

WILDERNESS ACT (areas)

.....are established for the purpose of preserving their natural beauty and wilderness character and protecting them from impairment, settlement and industrial development and thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations. "

A most commendable objective, but hardly new or different to this Province. It is or will be the newest of a series of acts intended to preserve outdoor areas for future generations, but without the power or the meaning to carry out this intention. The original intention is lost by a series of overriding subsections. The last time a wilderness area was established for .." the use of the people of Alberta for their benefit, education and enjoyment, subject to this act and regulations, and shall, by the management, conservation and protection of its natural resources and by the preservation of its natural beauty, be maintained for the enjoyment of future generations" end of quote, this particular act inasmuch has been revoked. For those not recognizing the above definition, it is from the Willmore Wilderness Act (1959). We now have strip mining about to take place in this preserved area, and further exploration at this time will eventually cause other industries to follow suit and develop whatever resource can be exploited. It may be true that the mined areas are no longer a part of Willmore, but nevertheless it used to be. This shrinkage is at the discretion of the Lieutenant Governor in Council.

The Forest Reserve Act of 1964 sets apart and establishes for the conservation of the forests and other vegetation therein and for the maintenance of conditions favourable to an optimum water supply, all forest reserves in the Province. Another fair act, but again exploration is not halted and the Lieutenant Governor in Council exercises, at his option, the power to restrict the CONDUCT of any business or commercial activity on any land situated within the boundaries of a forest reserve. Again the Council exercises the power of change.

Under the Provincial Parks Act, 1964, the Lieutenant Governor in Council has the power to establish, take away, reduce or decrease the size of a Park, and control to a degree the natural resources that are to be found therein.

It would appear as if the Lieutenant Governor in Council should be conducting this hearing so that they may get firsthand knowledge of what the people of this Province think of their dictatorial tactics. As most people are not aware of what this council consists of, I would explain. It is chaired by the Premier and consists of the cabinet ministers. They can go about their business and tear away all these beautiful parks they have created without so much as a public notice. They have the power to extend leases, permits, production of resources and to even construct dams or divert water should they feel it necessary. And all this can be done without our knowledge or approval. Very contrary to a democratic system that supposedly exists and works for and on behalf of the people.

My first recommendation would be to replace the "Council" wherever

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AGENTS FOR WESTERN CANADA'S FINEST CAMPS

BOX 5088
STATION 'E'
EDMONTON 51, ALBERTA
CANADA
RES. 403-484-3609

OFFICE
210 McLEOD BLDG.
EDMONTON
403-429-0470

August 4/70

continued....

it exists, not only in this proposed Act, but also in the previously mentioned Acts on page one. Purpose; to allow other elected members of the legislative to voice their opinions and concern and this would allow the public an opportunity to become aware of existing and future developments that may endanger the well being of existing and future Alberta generations. The Council would be replaced by the word Legislature.

With the establishment of Wilderness areas, and subject to many changes within the act itself, it would not be beneficial to anybody but passing tourists, to have these areas of modest size. The purpose of the act would be self defeating if the council thinks an ecosystem exists within imaginary boundaries bordered by access roads, oil wells, strip mines, polluted waters, pulp mills and domestic grazing areas. It must be large enough to be biologically independent. The Act itself must be written by people who know what is required, what presently exists, what the dangers are and who share a common understanding of ecology. I would question the people who finalized this act; it does not appear to bear the hand of a biologist or even a biologist's theory on self-propagation. Rather it appears the wording and subsection paragraphs came from those of a politician who doesn't understand or care and who obviously bathes in environmental ignorance. These areas, if established, must be of a size not less than 200 square miles if they are to be a multiple use area. We cannot allow the degradation of our recreational areas; to make them too small would be inviting disaster; they would become nothing less than campgrounds where the in-transit masses could stop overnight and deposit their filth. The heart of the Wilderness area must be far enough away that its own uniqueness and character are not going to be available without serious effort on the part of the individual.

To not allow hunting is foolish. Good game management techniques have used this tool to control certain species populations with excellent results. To ignore the rifle and accompanying industry is to waste good tools and refute the dollars produced by such an industry. To ban hunting is further reduction of the number of people who would be able to enjoy and appreciate that which is unique and renewable. We have two National Parks that adjoin the Province of Alberta; we cannot hunt within their borders, but we can enjoy the scenery and wildlife that exists within them. We do not need more Banff and Jaspers. We do not need a conglomerate of Game Farms. We do not have the personnel or facilities to hand feed and pamper existing wildlife. We do need wilderness areas that are capable of existing by themselves and that will allow all purpose recreational usage by a greater percentage of the population.

My second recommendation is to establish areas large enough that hunting will be allowed and subsequently the management of its wildlife will be independent of public revenue funds.

The mere existence of sections 8 & 9 are contradictory to the overall purpose and intent of the Act. I would fear another Willmore in the making. Not only was Willmore reduced, explored and mined, but we the people of this



Sportsman's TRAVEL SERVICE LTD.

HUNTING & FISHING TOURS

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continued.....

Province financed a \$96 million dollar railway to take the mineral out. This was undoubtedly another order in council. It appears as if the mining company did a fine job of selling the Gov't. on the idea of extraction and subsequent economic benefits, or there were underlying reasons why one company should be so much in the favor of the Social Credit Government. Possibly it was an economic tie, but for whom? This particular mine proposes to booster and bolster the Alberta economy; with immigrant employees, foreign manufactured machinery, imported technology and foreign control. They have since announced a reduction in mine employees because it was more economical to strip and there is a labor shortage in the Province. Our benefits are few, the dollars appear to be flowing the other way and now they propose to create other areas that are going to fall under the same chipping block. We are being handed a bunch of depressed areas that will not serve the purpose they are intended for, and then they want the right to take it away again so that these areas can be turned into veritable industrial wastelands where gophers and grasshoppers can't survive. The intent of Wilderness areas is such that it is a renewable resource and will always exist in its present form. This makes up its character and uniqueness. Change its physical being and we destroy that which is valuable to us and future generations. Section 8 & 9 are a pipers dream; this Province will not accept another candy-coated piece of empty legislation. It must have meaning, it must have truth and it must be good for the people if it is to exist.

My third recommendation is that a Wilderness area is not subject to any prior Acts, leases, permits, contracts or political promises. If it is to exist, let it exist as it is and let us forget for a short time that it may contain a saleable resource that is not renewable.

With the establishment of new Wilderness areas, does this mean that Whitegoat, Siffleur and Willmore will be further reduced; will they disappear altogether or are they to be included under the heading of modest size? Under no circumstances would I accept the removal of either of these areas in exchange for twenty or thirty smaller more insignificant ones. They were created for and because of their uniqueness and natural beauty that they contain. Any group, individual or organization that lauds or has promoted this idea is not representative of Alberta citizenry and their ignorance should be muffled, if not silenced.

My fourth recommendation would be that Whitegoat, Siffleur and Willmore be included in the new Act in their present size and without revocation.

Under present hunting and outfitting conditions, the wildlife in the foothill and mountainous regions are under extreme pressure. Goat have disappeared from the list of harvestable species, and the Bighorn sheep is suffering from intense pressure. It will not be long before the caribou, grizzly and elk suffer the same fate as the goat. If Alberta is to continue to have an abundance of harvestable game, then outfitting should be permitted in these regions and wherever Wilderness areas allow, but under organized systems that will allow the resident to reap his harvest and the overflow taken up by non-resident hunters. Without properly designated areas for outfitters to operate, it is a first come, first serve basis. Areas of game can be wiped out or depleted in such a short space of time that whatever steps are taken after the slaughter, it is too late. If we intend on reaping a yearly crop of game

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continued....

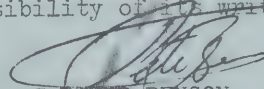
then we must harvest it in an organized fashion. If this cannot be done, then let us revoke the guide license in favor of saving the wildlife for ourselves.

From an economic standpoint, our overabundance of game stands to bring in 37 million dollars per year to the people of this Province on an annual basis. This is direct revenue from non-resident hunters and does not include fishing, bird game, camping or other revenue produced by our image of being clean, pure and having an abundance of wildlife. Without Wilderness areas this image will disappear and Alberta's second largest industry will go down the tube like the Prerogative falcon; another victim of our own greed and waste.

If the government were to conduct studies on the recreational value of our renewable resources, instead of subsidizing industry and conducting studies on their behalf, we wouldn't need public hearings. They would already know that we have resources that are saleable year after year, for generations. Wildlife, trees, habitat etc are renewable and do not require huge amounts of subsidies and development. They exist and will continue to exist, reap fantastic financial rewards, be ever present for the enjoyment and appreciation of millions; but not if we exploit the non-renewable resources for a fast economic buck.

My fifth and final recommendation is that this Province take a serious look at its resources, both renewable and nonrenewable, and establish such Acts on the basis of what is going to be good for Albertans on a ~~long term basis~~ ~~xxxxx~~ perpetuity basis.

This paper is written by the undersigned on behalf of SPORTSMAN'S and himself. No organization or other individual is concerned with or had a hand in preparing this brief and its content are the sole responsibility of its writer.


J. PETER BENSON

NOTE: annual economic returns from the big game industry are based on a study conducted in 1969 for the Fish & Wildlife Dep't. and available information supplied by SPORTSMAN'S files.

JPB



PROPOSED WILDERNESS AREAS ACT

BRIEFS PRESENTED AT

GRANDE PRAIRIE

AUGUST 5, 1970

A BRIEF TO GOVERNMENT
An Act Respecting Wilderness Areas

Presented By The Wapiti Fish & Game Association

A BRIEF CONCERNING BILL 106

(An Act respecting Wilderness Areas)

Presented by the Wapiti Fish and Game Assoc.

Grande Prairie
August 5/1970

GENERAL COMMENTS

This Association feels that Bill 106, as ultimately placed in law, must be definitive and specific enough to protect present and future wilderness areas from any and all forms of commercial, industrial or private exploitation.

Particular attention must be given to ensuring protection from pollution or potential pollution, whether from sources within a wilderness area or from sources outside the boundaries of such an area.

Wilderness areas must be maintained as areas wherever possible untouched by the mechanics of civilization. Unless the primeval aspects of wilderness areas can be fully preserved, the young people of the near future may come to consider oil wells, pipelines and seismograph lines to be integral parts of Alberta's "wilderness."

Where formation of new wilderness areas concerns lands subject to disposition under the Pipeline Act, 1958; the Oil and Gas Conservation Act, 1969; the Mines and Minerals Act, 1962; the Public Lands Act, 1966; the Right of Entry Arbitration Act, or any other statute which might permit exploitation by commercial, industrial or private sources, the province must regain all such rights of disposition in order to prohibit future exploitation and preserve these wilderness areas for future generations.

The Wapiti Fish and Game Association feels the following amendments would be of benefit to Bill 106 and to the people of Alberta:

SECTION 2:

A fifth subsection should be added, as follows, to provide a clear-cut definition of pollution as it might affect the wilderness areas and enforcement of this act:

(e) "pollutant" means trash, garbage, litter, empty containers, industrial chemicals or wastes, discards and/or wastes of the petroleum or petro-chemical industry, noxious gases, noxious smoke, excessive and persistent noise and/or man-made refuse or any other substance or condition which may damage, contaminate or alter the natural physical or aesthetic features of a wilderness area.

SECTION 3: 1) DELETE SEE SEC 5 (7)

A third subsection should be added, relating to the establishment of "buffer zones" surrounding any future wilderness areas, particularly those of small size. Such a subsection could be worded:

(3) Where possible, any new wilderness areas shall be surrounded by a 10-mile-wide buffer zone. Such zones would be open to development by select commercial or industrial interests, but would be closed to any and all residential development or development of any type which would lead to large population build-ups adjacent to the wilderness areas. Limited access by motor vehicle might be allowed to the buffer zones, but under no circumstance into the wilderness area, subject to Section 11 of this Act.

SECTION 5:

The following additions should be made to subsection 2.

(a) Members in government service shall include a member of the fish and wildlife branch of the department of lands and forests; a member of the province's parks and recreation branch.

(b) Members who are not government employees shall include a member of the Legislative Assembly, an ecologist, a forester, a geologist, a sociologist and an agriculturist, along with one spokesman for the Alberta Fish and Game Association.

(c) Provision shall be made for at least two special committee members to represent local areas where any subject of a local nature, including establishment of new wilderness areas or addition to existing wilderness areas, is to be considered.

Subsection (5)(c) should be deleted. Once a wilderness area has been established there must be no consideration given to withdrawing lands from it. Deletion of this clause will give added protection against possible exploitation by commercial, industrial or private interests.

The following subsection (7) should be added to clarify the authority under which boundaries of wilderness areas may be altered:

(7) Only the Legislative Assembly of Alberta shall have the power to create new wilderness areas or to add lands to existing wilderness areas, and this body shall be the only authority empowered to make such alterations as they may be recommended by the advisory committee or by any other person or persons under Section 5(5) or Section 6.

...

An eighth subsection should be added as follows:

(8) The advisory committee shall make an annual report to the Legislative Assembly, outlining all recommendations made by the advisory committee.

SECTION 6:

Here again, any reference to withdrawing of lands from an established wilderness area should be deleted. This would mean amending (b) to read:

(b) Any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any lands to an existing wilderness area.

SECTION 7:

Subsection (b) should be amended to read:

(b) for the maintenance of natural watershed conditions,

SECTION 8:

This section, along with section 9, should be combined to form legislation aiding the province to gain all rights of disposition concerning lands for wilderness areas. This might involve negotiation, substitution of other lands to cover existing leases to commercial or industrial concerns, arbitration or outright purchase of such rights, but this action is vital to the preservation of wilderness areas from various forms of exploitation which might detract from their wilderness value.

The following revision is suggested:

Section 8: (1) No disposition shall be made by or on behalf of the Crown of any estate or interest in public lands in a wilderness area under the Pipeline Act, 1958; the Oil and Gas Conservation Act, 1969; the Mines and Minerals Act (1962); the Public Lands Act, 1966; the Right of Entry Arbitration Act, or any other provincial Act.

(2) The Crown must, through expropriation, outright purchase, substitution, or other means, reclaim any estate or interest in public lands within an existing or proposed wilderness area.

(3) No minister of the Crown or any person authorized by an Act to do so shall grant any permission, whether termed approval, consent, permit, licence, certificate or other term, which would in the absence of this section empower the person to whom it is granted to expropriate any estate or interest in land within a wilderness area.

(4) A disposition made in contravention of this section is void.

Section 9 as it now exists should be deleted in its entirety. ✓

SECTION 11:

Subsection (1)(b) is extremely vague, since by omission it prohibits photography, hunting, camping, cooking, bird-watching and a variety of other activities quite logical for visitors within a wilderness area. We would suggest that since (1)(c) explicitly controls access to wilderness areas, (1)(b) should be either deleted or made specific in its prohibitions

Subsection (1)(c) should be amended to read:

(c) land an aircraft in a wilderness area or fly lower than 2,000 feet above the highest point in the particular wilderness area.

If our recommendations pertaining to sections 8-9 are acceptable, Section 11(2)(b)(iv) should be deleted.

A further subsection (4) should be added to read as follows:

(4) Each wilderness area shall be assigned a wilderness manager. This man must be capable not only in forestry and game management, but in public relations. He would be responsible for all facets of public use, including enforcement of this Act.

The wilderness manager should be able to call upon a staff of biologists, ecologists, geographers, geologists, pathologists, naturalists, foresters and any other professional advisers needed for consultation on problems which might arise.

SECTION 12:

This section should be amended to read as follows:

(a) For the first offence:

(i) In the case of a private individual, to a fine of not less than \$50 and not more than \$1,000 and in default of payment to imprisonment for a term of not more than 60 days.

(ii) In the case of a corporation, to a fine of not less than \$1,000 and not more than \$5,000.

(b) For a second offence:

(i) In the case of a private individual, to a fine of not less than \$100 and not more than \$5,000 and in default of payment to imprisonment for a term of not more than 120 days.

(ii) In the case of a corporation, to a fine of not less than \$5,000 and not more than \$10,000.

12: . (c) as it appears in the draft copy of Bill 106.

(d) Any person or corporation found guilty and convicted of an offence under this section or section 11 (3) of this Act shall be made to make restitution to cover any and all costs of the damage involved.

SUMMARY COMMENTS:

It is the feeling of this association that more wilderness areas are required inside the province of Alberta. The four existing wilderness areas comprise something less than 1% of the province's total area.

The concept of "small" wilderness areas -- perhaps in the region of 20 to 50 square miles -- has considerable validity in Alberta, but in these cases especially, the concept of buffer zones surrounding such areas deserves much consideration. For example, a wilderness area in a five-mile square would be virtually wasted according to wilderness definition if there were a substantial community on either side of it.

We would urge recognition by the government of the true value of wilderness areas and the need to judge them by standards other than the monetary one, which is temporary at best. Wilderness is a replaceable natural resource, but only in the sense that it can be replaced only through regeneration of existing wilderness.

Wapiti Fish and Game Association; Grande Prairie, Alta.

per.....

A Brief To The Provincial Government

RE: Bill 106

An Act Respecting Wilderness Areas

Grande Prairie

August 5th 1970

Presented By

CITY OF GRANDE PRAIRIE

and the

CITY PARKS & RECREATION BOARD

Page 1

Industrial, agriculture and residential encroachment on lands used by past generations of our province for recreational purposes is becoming increasingly evident.

It is also evident that with the growing population and the developing industrialization of this province, more and more of these lands will be devoured. Wilderness areas that are our heritage will diminish rapidly.

The City of Grande Prairie is concerned about this trend and regards the protection of wilderness areas within the provincial boundaries, for the use and enjoyment of generations to follow, of prime concern to all levels of government.

In this respect we applaud the Provincial Governments attempt to enact legislation to establish Wilderness Areas in Alberta through Bill 106.

We are concerned, however, that the bill offers little protection for the preservation of the areas. It is in this respect, then, that we submit, for Governments consideration, this brief.

Page 2

Section 2

- a. Effective meaningful enforcement of Section 12 will require a definition of the word "pollution".

We recommend that this definition be stated in a fifth subsection (e) of Section 2.

Section 5

- a. To protect the advisory committee from becoming "ingrown" it should have representation from a number of disciplines and professional and lay organizations who are vitally interested in the use, protection and preservation of Wilderness Areas.

We recommend that Government employee members include one each from the Fish and Wildlife Branch of the Department of Lands and Forests, the Recreation Branch, Department of Youth and a professional planner from the Provincial Planning Board.

Non-Government members should include a forester, ecologist, geologist, sociologist, a member of the Alberta Fish and Game Association and a member from the Alberta Wilderness Association.

- b. Once a Wilderness Area has been established there should be no consideration given to withdrawing lands from it.

We recommend that Subsection 5 (c) be deleted entirely.

Page 3

Section 6

- a. Once again, there should be no consideration given to the withdrawal of lands from established wilderness areas.

We recommend the deletion of the reference made to withdrawal of lands in 6 (b).

Section 7

- a. In its present form ~~the provision~~ would exclude any archaeological research.

We would recommend that archaeological research and required encavations, approved by the Advisory Committee and the Minister, be permitted, providing that upon conclusion of the work the area is returned, as near as possible to its natural state.

Sections 8 & 9

- a. These sections as they are proposed completely nullify the purpose of the act as we regard it-that is the preservation and protection of Wilderness Areas.

We recommend that:

1. No further dispositions of lands within established Wilderness Areas be made.
2. The Government should, through expropriation, outright purchase, substitution or other means, reclaim any estate or interest in public lands within the Wilderness Area.
3. No permits should be issued under the Pipe Line Act 1958, or under the Oil & Gas Conservation Act 1969, or for the transmission of gas or water in connection with drilling or production operations for minerals in Wilderness Areas.

(3)

A BRIEF to the PROVINCIAL GOVERNMENT

RE: Bill 106

AN ACT RESPECTING WILDERNESS AREAS

GRANDE PRAIRIE

August 5, 1970

Presented By

THE GRANDE PRAIRIE GYMKHANA CLUB

A Horse Riding Club of the Area

Consisting of Fifty-five members.

AMENDMENTS PROPOSED

Section 2

Addition of sub-section (e) "private land" means land not owned
by the Crown in right of Alberta

✓

Section 3 - (1)

Where Lieutenant Governor in Council appears, delete, and insert
The Legislative Assembly.

Section 4

Concur with amendments (1) and (2) as submitted by the Alberta
Wilderness Association.

Section 5 - (1)

The Legislative Assembly shall establish a committee called the
"Advisory Committee on Wilderness Areas" consisting of seven or
more members, with each member representing a division of the
Province, and shall designate one of the members as chairman.
Sub-Sections (2,3,4,5,6) we concur with amendments as submitted
by the Alberta Wilderness Association.

Section 6

Concur with amendments as submitted by the Alberta Wilderness
Association.

Section 7

We agree with this section of Bill 106, but would like to add:

- (e) for the management of the Wilderness Areas on the same basis as the National Parks.
- (f) for the prevention of pollution with a concise definition of pollution listed under Section 2. ✓

Section 8

We concur with amendments as submitted by the Alberta Wilderness Association. ✓

Section 9

This section is defeating the purpose of a Wilderness Act, so would delete in its entirety.

Section 11

We like this section except sub-section (b) as hunting, horseback riding, camping and photography is omitted.

We recommend no person shall enter or travel within a wilderness area except for the purpose of 'Recreation'.

We would like to recommend that an Order-In-Council be passed immediately }
to prevent any further disposition of lands in future Wilderness Areas. }

4

BRIEF WITH REFERENCE
TO BILL 106, A PROPOSED ACT
RESPECTING WILDERNESS AREAS

Submitted by:

NORTH CANADIAN FOREST INDUSTRIES LIMITED
BOX 100
GRANDE PRAIRIE, Alberta

August 5th, 1970

Elks Hall
GRANDE PRAIRIE, Alberta

WE APPRECIATE THE OPPORTUNITY TO ATTEND THIS PUBLIC HEARING AND EXPRESS OUR VIEWS REGARDING BILL 106, A PROPOSED ACT RESPECTING WILDERNESS AREAS.

NORTH CANADIAN FOREST INDUSTRIES SUPPORTS THE CONCEPT OF MAINTAINING WILDERNESS AREAS AND SUPPORT IN EVERY WAY THE PRINCIPLE OF THE PROPOSED WILDERNESS ACT.

WE BELIEVE THAT THE PROVISIONS OF FLEXABILITY CONTAINED IN THE PROPOSED ACT ARE OF THE UTMOST IMPORTANCE.

WE ARE AWARE THAT A SMALL PERCENTAGE OF THE POPULATION WISHES TO SEE THE ESTABLISHMENT OF COMPLETE WILDERNESS AREAS, HOWEVER, WE CANNOT AGREE WITH THOSE WHO WOULD PROPOSE THAT FIRE, INSECTS, AND DISEASE BE PERMITTED TO GO UNCHECKED IN ANY WILDERNESS AREA. THIS CONCEPT WOULD CREATE AN IMPOSSIBLE SITUATION WITH REGARD TO CONTROL OF THE FIRE, INSECTS AND DISEASE OF THE SURROUNDING FOREST AREAS.

WE BELIEVE THAT THERE SHOULD BE ADDITIONAL WILDERNESS AREAS ESTABLISHED IN AREAS THAT ARE OF CONSIDERABLE DISTANCE FROM EXISTING WILDERNESS PARKS, HOWEVER, WE BELIEVE THAT THEY SHOULD NOT INVOLVE TOO LARGE AN AREA. WE ARE CONSCIOUS OF THE FACT THAT LARGE WILDERNESS AREAS WILL NO DOUBT RESULT IN THE INCLUSION OF TOO MANY OTHER VALUABLE RESOURCES WHICH WILL CREATE PRESSURE FOR INDUSTRIAL DEVELOPMENT OF THOSE RESOURCES.

AS FOREST MANAGERS NORTH CANADIAN FOREST INDUSTRIES IS RESPONSIBLE FOR THE MANAGEMENT OF NEARLY ONE MILLION ACRES OF

TREE FARM LANDS. WE SUPPORT THE CONCEPT OF MULTIPLE LAND USE. OUR TREE FARM LANDS, WHICH IN ADDITION TO SUPPLYING A REGULATED FOREST HARVEST, ALSO PROVIDES ACCESS AND ENJOYMENT FOR MANY RECREATIONISTS, HUNTERS AND FISHERMEN AS WELL AS IMPORTANT WATER SHED BENEFITS.

IN ALBERTA NEARLY 100% OF THE PRIVATE FIRMS AND CORPORATIONS ENGAGED IN THE MANUFACTURE OF FOREST PRODUCTS ARE MEMBERS OF THE ALBERTA-- FOREST PRODUCTS ASSOCIATION. THESE A.F.P.A. MEMBERS IN CO-OPERATION WITH THE ALBERTA FOREST SERVICE ARE CHARGED WITH THE RESPONSIBILITY OF MANAGING ALBERTA FOREST AREAS WHETHER THEY BE HOLDERS OF A QUOTA, A FOREST MANAGEMENT LEASE OR A TREE FARM.

TO ADEQUATELY PERFORM THIS RESPONSIBILITY HAS MEANT THAT THE FOREST INDUSTRY EMPLOYS MANY QUALIFIED PERSONS WHO POSSESS EXPERIENCE IN LAND MANAGEMENT AND RENEWABLE RESOURCE DEVELOPMENT.

IN THE ESTABLISHMENT OF THE ADVISORY COMMITTEE ON WILDERNESS AREAS WE WOULD PROPOSE THAT CONSIDERATION BE GIVEN TO THE APPOINTMENT OF A MEMBER FROM THE ALBERTA FOREST PRODUCTS ASSOCIATION.

Philosophical

BRIEF ON
BILL #106
WILDERNESS AREAS ACT

BOB WYNNYCHUK
10907 - 96 St.
GRANDE PRAIRIE, ALBERTA

IT IS GRATIFYING TO SEE THAT OUR GOVERNMENT IS TAKING ACTION TO PRESERVE SOME OF OUR NATURAL HERITAGE FOR THE GENERATIONS TO COME.

THE GOVERNMENT MUST BE COMPLIMENTED ON THEIR FORE-SIGHT FOR THIS ACTION.

THE PURPOSE OF THIS BRIEF IS TO OFFER SOME CONSTRUCTIVE SUGGESTIONS WHICH I FEEL MAY BE INCORPORATED INTO THE ACT AND EXPRESS MY OWN FEELINGS AS A CITIZEN OF THIS PROVINCE.

SECTION I Remain Unchanged

SECTION II Remain Unchanged. Except that; in this section there should be included a definition of the words "Pollutes or Pollution" as referred to in the proposed Act.

SECTION III Remain Unchanged. Except some provision should be made that no surface installations (buildings, etc.) are built right up to the Park boundaries. A strip of land about two miles or so around the Park areas should not be built on.

SECTION IV Remain Unchanged

SECTION V Regards SUBSECTION 2

Non government members on this board should include an ecologist, geologist, also a member of the FISH & GAME ASSOCIATION.

Government members should include a member of the Planing Board; someone from the Recreation Branch of the Department of Youth; also someone from the Fish and Wild-life branch of the Department of Lands and Forests.

SUBSECTION 5 (c) Once established, no changes should be made in the Act unless passed by Legislative action.

Also in this or some other Section it should state that no changes should be made in the Act without amendment by Legislative action, as in this way in case of any contemplated action on a given area, the area member of Parliament will be able to convey the wishes of the people (in the area concerned) to the Government.

Item (c) of this Section should be deleted.

SECTION VI SUBSECTION "B" should delete or with drawal of any lands from.

SECTION VII SUBSECTION "B" delete the word stable and substitute the word natural.

SECTION VIII SUBSECTION "I" delete (subject to SUBSECTIONS (2) and (3)

Also in this section provision should be made to compensate for or expropriate areas of a proposed wilderness area from persons or companies presently owning the land or holding leases etc., on the lands.

- SECTION VIII SUBSECTION "2" Provision should be made in this Section that no permits be issued under the Pipeline Act 1958 or the Oil and Gas Conservation Act of 1969 or ANY OTHER ACT.
- SECTION IX This section as now proposed completely cancels other provisions made. I feel that this section should be deleted from the proposed Act. This section as is now defeats the whole purpose of the Act.
- SECTION X Remain Unchanged.
- SECTION XI SUBSECTION I (B) should read enter or travel within a wilderness area except for the purpose of "Section VII" or recreational purposes only.
- SUBSECTION I (C) should have a clause specifying Aircraft to fly at a minimum of 2,000 feet over highest point of land in the area.
- SUBSECTION II (4) not needed if section VIII is rewritten.
- SECTION XII I feel that Penalty Assessment should be in accordance with intent of the abuser, be it Company or person and also commensurate with damage done. Also should have a Clause that persons or companies charged under this section reclaim the area concerned to standards set by the Advisory Committee.
- SECTION XIII Remain Unchanged
- SECTION XIV Remain Unchanged.

(L)

Mr. Chairman, Ladies & Gentlemen:

All of us here today are deeply concerned about the erosion of our wildlife habitat, some including myself have come one hundred and fifty miles or more to make our feelings known to the government.

All of us are guilty to some extent to the pollution and destruction of our environment, by the very fact we must make our living in this area.

But, however ironic as it seems our largest contributors to pollution and destruction do not live and very seldom if ever even visit this area. They see this part of the country as a series of lines, dots and coloured areas on a map representing the mineral wealth of this country and the exploration to find it. I am of course talking about the International Corporations; some of which take in more money and yield more power in North America than our Provincial Government. Many decisions that affect our wilderness areas are made in board rooms, a continent away. Decisions and actions that are concerned mainly with making the most profit in the shortest period of time. When public opinion becomes a factor they hire a battery of public relations men, who in turn utilize the news media to brainwash us into accepting their decision.

Anyone who dares to challenge the power of these people is put down with a series of cliches "against progress, conservation nut, radical, communist" and a series of others.

The people who yield this power do not have to stand for election by the people, they either inherit their wealth or rise to power through a series of ruthless business maneuvers.

These corporations have so far been able to outmaneuver every government agency that has been set up to control them.

I would like to give an example. I hold in my hand a letter from Imperial Oil. A letter in answer to a request by a farmer to be compensated for crop loss due to flooding caused by several shot holes that opened up artesian wells. I will read you an excerpt from that letter. I ask you why is it that Imperial Oil would like the farmer to deal with this department? Is it because they think this department will help the farmer negotiate a fair settlement? Is it because Imperial Oil is worried about uncapped flowing wells and knows this department will make them cap the wells? Or is it because Imperial Oil has a Mr. Fix - It in there some place? I will let you be the judge of that one.

We are moving into a period when our water resources are becoming polluted at an alarming rate. We can now see that our freshwater resources are not unlimited. We also know that our water supplies are the basis for marine and animal as well as human life on this planet.

I would like to point out another area that is alarming and ever frightening when one considers the dangers involved. I am referring to the fact that oil wells are drilled throughout the Hay Lakes, and other lakes through the Rainbow and Zamba Oil Fields. This is one of the largest watersheds on the North American Continent, and also classed as one of the best nesting grounds for the Canada Goose. I would like you to note that Hay Lakes is even a bird sanctuary. I am sure that a full scale investigation by unbiased persons would disclose even more frightening facts than those disclosed in the Swan Hills area.

The new legislation by our Provincial Government is a step in the right direction, but does not go nearly far enough. There should be provision for the expropriation of any company and all its assets when that company is guilty of gross pollution of either water, air or land. If a citizen of this country indiscriminantly destroys wildlife his vehicle and gun or fishing gear can be confiscated and often is. Why, then, when a corporation destroys wildlife should they not be subject to the same laws.

I realize of course the fears that beset the Government when they contemplate such a decision, loss of investment capital, curtailment of Government borrowing power, adverse publicity. Loss of campaign funds perhaps, but nevertheless people with the moral courage to do what is right must be prepared to make a stand on an issue as vital as this. We must not and dare not bow to the economic power of the corporation when it means the very destruction of our environment. Those who take the path of least resistance for a buck today and to hell with tomorrow are either fools or traitors to the future generations. (Perhaps I shouldn't have said "future generations" because at the present rate of environmental destruction there may not be any future generations.)

In conclusion Mr. Chairman, I would propose the following motion for debate and a vote.

Whereas gross pollution in our oil fields have already been disclosed;

Whereas our northern watershed is in immediate danger of oil pollution;

Whereas Imperial Oil appears to have suspiciously helpful connection in the Department of Mines and Minerals,

Therefore we demand that the Government institutes a full scale inquiry into the operation of the Department of Mines and Minerals.

Thank you

1

A Brief To The Provincial Government

RE: Bill 106

An Act Respecting Wilderness Areas

Grande Prairie

August 5th, 1970

Presented By

Adrien J. Trepanier, Grande Prairie.

Page 1

With the ever increasing encroachment of civilization on our land surface, there is a demand by society as a whole, for more recreational uses of this land. As people become more affluent this demand will increase further.

In consideration of the above, it is imperative that the Government of the Province of Alberta set aside areas to be known as wilderness areas, to preserve some of our natural heritage.

Bill 106, if passed in its present form, leaves little or no protection for the preservation of the areas as established. It is with this in mind that I have endeavoured to rewrite the Act and submit it for consideration.

BRIEF:

Below please find my comments with regard to the formation of Wilderness areas, as proposed by the Province of Alberta in an Act respecting Wilderness Areas (Bill 106).

Section (1) - Would be o.k.

Section (2) - (a), (b), (c), (d), - o.k. but add:

- (e) Private Land - means land not owned by the Crown in the right of Alberta.
- (f) Pollute - to destroy the purity or sanctity of, or to disecrate physically or chemically, or render foul or filthy in any manner whatsoever -

Section (3)

- (1) All lands, private and public within the areas described in a schedule promulgated by the Legislature of the Province of Alberta, are hereby established as wilderness areas.
- (2) o.k.

Section (4) Should be more elaborate.

Wilderness areas are established for the use and enjoyment of the people of Alberta by the Legislature of Alberta in such a way as to protect the natural beauty and wilderness concept from; settlement, industrial development, mining - surface or underground, oil exploration and development and any other resource development that might change the area in any manner, so as to leave the area untrammelled and unchanged by man, where even he will be only an occasional visitor, and will not make any permanent improvements or human habitations, thus in creation of

Section (4) cont'd.

such areas the Province of Alberta will assure its citizens the benefit and enjoyment of same by the present and future generations.

Section (5)

- (1) The Lieutenant Governor in Council shall establish a committee called the "Advisory Committee on Wilderness Areas", consisting of five or more members, chosen from representative areas within the province where wilderness areas are to be located, and shall designate one of the members as chairman.
- (2) o.k.
- (3) o.k.
- (4) o.k.
- (5) Majority o.k. except drop subsection 5(c) - no need.

Section (6)

The Advisory Committee shall at least once a year, or more often as required, hold public meetings, one in the northern half of Alberta and one in the southern half, for the purposes of receiving and hearing submissions and representations respecting -

- (1) Any recommendations made by it under section 5, subsection (5), or
- (2) Any proposal directly related to the establishment of a new wilderness area or the addition of any lands to an existing wilderness area, submitted by the Minister or any other person or body of persons.

Section 7 (b) - for the maintenance of stable watershed conditions, but does not include the construction of man made dame.

Section 8 - should read:

- (a) No disposition or expropriation shall be made by or on behalf of the Crown of any estate or interest in public lands in a wilderness area by any Provincial Act.
- (b) Where there has been any previous disposition of any estate or interest in public lands or there are any private lands in a wilderness area the Advisory Committee on Wilderness Areas shall expropriate these estates or interests in public lands or the private lands.
- (c) Where estates or interests in public lands or private lands are expropriated under subsection (b) the person or persons who are subject to such expropriation shall be entitled to compensation. Such compensation shall be determined by a hearing before the Advisory Committee on Wilderness Areas.

Section 9

Section (9) should be deleted.

Section 10 - o.k.

Section 11 (a) - o.k.

(b) - adding the word "hunting" or fishing

2 (a) - change - The carrying out of measures or programs authorized or approved by the Legislature pursuant to Section 7 and ...

3 - add - and to correct any damages incurred.

Section 12 (a) - add - thereto

(i) in the case of a corporation, to a fine of not less than \$1,000. and not more than \$5,000. and to make restitution of any damage incurred.

8. (1) Subject to subsections (2) and (3), no disposition shall be made by or on behalf of the Crown of any estate or interest in public lands in a wilderness area under *The Public Lands Act, 1966, The Forests Act, 1961, The Mines and Minerals Act, 1962* or any other Act.

(2) Subsection (1) does not operate so as to relieve the Crown from making a disposition of an estate or interest in public lands in a wilderness area where

- (a) the Crown is under a legal liability to do so, and
- (b) the liability arose before the land concerned became part of a wilderness area by this Act or by an amendment to this Act.

(3) A disposition may be made by or on behalf of the Crown of an estate or interest in public lands in a wilderness area if the disposition is made in favour of a person who is empowered to expropriate that estate or interest from the Crown.

(4) A disposition made in contravention of this section is void.

9. (1) Subject to subsection (2), no Minister of the Crown or any person authorized by an Act to do so shall grant any permission, whether termed approval, consent, permit, licence, certificate, or other term, which would in the absence of this subsection, empower the person to whom it is granted to expropriate any estate or interest in land in a wilderness area.

(2) A permit may be issued under *The Pipe Line Act, 1958* for the construction of a pipe line in a wilderness area where the pipe line is to be used

- (a) for the transmission of minerals recovered in the wilderness area, or
- (b) for the transmission of oil, gas, water or other substance in connection with any order made, or any scheme or operation approved under *The Oil and Gas Conservation Act, 1969* that pertains wholly or partly to the recovery of oil or gas in the wilderness area, or
- (c) for the transmission of gas or water in connection with drilling or production operations for minerals in the wilderness area.

10. (1) Except as permitted under section 11, subsection (2), no Minister of the Crown or other person on behalf of the Crown shall

- (a) construct, maintain, repair or operate any public work, road, railway, aircraft landing strip, helicopter base, structure or installation in a wilderness area, or

8. Disposition of public lands in wilderness areas.

- (2) Wilderness areas shall be laid out such that very little previous development or contracts for development have taken place.

9. Construction of certain utilities in a wilderness area prohibited. Pipe-line permits are restricted in a wilderness area to cases connected with the recovery of minerals where the mineral rights were acquired prior to the establishment of a wilderness area.

10. Government prohibited from constructing roads, airstrips, etc. in wilderness areas.

- (b) expend or authorize the expenditure of any moneys for any of those purposes.

(2) Subsection (1) applies *mutatis mutandis* to a Crown corporation or other corporation, board, commission or body the members of which are appointed by an Act of the Legislature, the Lieutenant Governor in Council or a Minister of the Crown or any combination thereof.

11. (1) Subject to subsection (2), no person shall

- (a) travel in a wilderness area except on foot, on horseback, or by means of a vehicle or boat that is not motor-powered, or
- (b) enter or travel within a wilderness area except for the purpose of walking, hiking, skiing, snowshoeing, boating, fishing or bicycling, or
- (c) land an aircraft in a wilderness area, or
- (d) deposit any litter, garbage or refuse in a wilderness area except in areas and containers provided for that purpose.

(2) The following acts are permitted in a wilderness area:

- (a) the carrying out of measures or programs authorized or approved by the Minister pursuant to section 7, and
- (b) the use of any means of transportation or any equipment and the doing of any act in connection with
 - (i) the prevention or extinguishing of forest fires, or
 - (ii) the prevention of damage to natural resources or property, or
 - (iii) emergencies involving the health or safety of persons, or
 - (iv) operations arising from rights conferred by dispositions referred to in section 8, subsection (2).

(3) A person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not less than \$50 and not more than \$500 and in default of payment to imprisonment for a term not exceeding three months.

12. Any person who, without lawful justification or authority, destroys or damages or pollutes any land, water, plant life or animal life in a wilderness area is guilty of an offence and liable on summary conviction

11. Prohibited use of wilderness areas.

(2) No person shall

- (e) use the natural resources (game) for making money. i.e. guides and outfitters.**

(if guides and outfitters are allowed into wilderness areas these areas will become hunting and fishing areas catering to the rich.)

12. Penalties for damage, etc. to a wilderness area.

- (a) for the first offence, to a fine of not less than \$50 and not more than \$1,000 and in default of payment to imprisonment for a term of not more than 60 days,
- (b) for a second offence, to a fine of not less than \$100 and not more than \$5,000 and in default of payment to imprisonment for a term of not more than 120 days,
- (c) for a third or subsequent offence
 - (i) in the case of a natural person to imprisonment for a term of not less than one month and not more than six months, or
 - (ii) in the case of a corporation, to a fine of not less than \$10,000 and not more than \$50,000.

13. The Minister may prohibit or restrict travel in a wilderness area during any period either absolutely or except under the authority of a permit issued by or on behalf of the Minister.

14. This Act comes into force on the day upon which it is assented to.

13. Travel restrictions.

(11)

10. Department of Lands and Forests,
Edmonton, Alberta.

Re: Proposed Wilderness Areas Act.

The Peace River Stock Growers would like to take this opportunity to present their comments on this proposed legislation.

We feel this is desirable legislation, with one exception, and are in favor of the establishment of wilderness areas for the following reasons:

- 1) Some species of animals, such as the grizzly and mountain sheep, are not prone to survival in the midst of civilization and these areas are necessary to ensure the survival of these species.
- 2) Wildlife and Water Conservation. Properly managed, these areas can be a reservoir of wildlife and water for adjacent areas.
- 3) Leisure and recreation are becoming more pressing problems with advancing civilization and we may not yet appreciate the true value of this wilderness resource. In a few years, these areas could be gone forever and their value not realized until too late.
- 4) Hunting, fishing, camping, and other outdoor activities are ^{re}_{newable} resources under proper management and over the years could provide monetary income far in excess of that realized from oil or mineral development. These areas are necessary to ensure that these resources are always available.

The Peace River Stock Growers do take serious objection to the clauses in this legislation that allows commercial interests ^{EXCLUSIVE USE OF THESE AREAS} feel this would be a mistake for the following reasons:

- 1) It is giving special concessions to special interest groups and this could have serious political implications.
- 2) Human activity of any sort in these areas will jeopardize the existence of many species of animals within the areas and render these areas unfit for true conservation purposes.
- 3) It will lessen the value of these areas for recreation and hunting purposes which could bring this province more income over a long term period than the immediate income from oil and minerals.

At the present time there are many conflicts for the use of public lands. For example, oil, timber and mineral explorations and development have pushed some species of animals back into only the remotest areas. Industrial developments have caused the death of many good fishing streams to the detriment of the tourist and hunting industry. Agricultural development is retarded as a result of policies favoring timber production and vice versa.

The Peace River Stock Growers would urge the Government to consider the following factors when setting up these areas.

- 1) Total Land Utilization. There is adequate land and natural resources to meet the needs of the various special interest groups for some years to come. Most of these resources and land is still under Government control. Now is the time to develop a long term program of land utilization which will take into account the requirements of all industries for the orderly development of the Peace River area. As livestock producers we recognize that there are other uses for land besides agricultural uses. However, we would like to feel that our interests were fully considered along with others when these lands are disposed of. We feel this can only be accomplished through the formulation of a program to supervise and coordinate the orderly development of the natural resources to the best interests of all the industries involved. The proposed Wilderness Areas Act would fit into such a program.
- 2) Location of Wilderness Areas. This is the second factor we would urge the Government give careful consideration to. The Peace River Stock Growers feel these areas should only be located in isolated areas at least 30 miles from present agricultural areas. Our reasons for this are:
 - 1) Agriculture in the Peace River area is still developing, particularly in cattle production.

Additional crown land will be required to support the growing numbers of cattle. These additional lands will be needed adjacent to the present settlements.

- 2) These wilderness areas could become a source of livestock predators. Bear and wolf could cause serious problems if these areas were within a short distance of agricultural areas.
- 3) The overflow of game from these areas could result in conflicts for feed and grazing between domestic livestock and wildlife.

In summary, we feel the concept of a true Wilderness Area is valuable and should be implemented in conjunction with a program of total land utilization which reflects the interests of all industries concerned with our natural resources.

Philosophical

Section 12 cont'd.

- (b) add thereto - for a second offence.
- (i) in the case of a corporation to a fine of not less than \$5,000. and not more than \$10,000. and to make restitution for damage incurred - .

Section 13 - o.k.

Section 14 - The Minister may make regulations dealing with:

- (a) appointing of a wilderness area manager responsible for the area.
- (b) special marking of boundaries of a wilderness area so as to clearly define same.
- (c) closing and opening of seasons within a wilderness area.
- (d) designating authority for enforcement of the Wilderness Act.

FOOTNOTE: What protection do we now have that will exclude or postpone industrial development in the proposed wilderness areas, as are being proposed, until such time as the Wilderness Act becomes law - e.g. till the next legislature sitting.

Firstly, it may be in order to give a short account of the Society, while only incorporated in 1970 under the Societies Act, has operated for many years with a slate of officers and an annual general meeting. Following many years use of canoes and traditional river-boats a hull has been developed locally for the special conditions pertaining to our Eastern Rocky Mountain watershed rivers. There are approximately 30 of these boat owners in the district. They come from all walks of life and have travelled the Wapiti, Smoky, Murray, Parsnip, Findlay, Peace, Liard, MacKenzie and Nahannie rivers.

It has been noted that due to logging and flooding operations many of the British Columbia rivers are fast losing their wilderness characteristics and since construction of the Alberta Resources Railway, much of the wilderness area of the Smoky River is now bordered by a railroad at water level.

The objects of the Society are:-

- " (a) To promote and maintain a harmonious relationship between all persons sharing the common interest of river boating in all its forms;
- (b) To promote water safety, good boating practices, and the observance of fishing and hunting regulations;
- (c) To instill in all its members and in the general public the respect for and the preservation of rivers and other water courses, forested areas, fish and wildlife, and national and other parks;
- (d) To assist the Department of Lands and Forests, and other governmental or federal agencies whether at the municipal, provincial or federal level, in search and rescue operations, in the preventing and combating of forest fires and other hazards when called upon to do so.

(e) Generally to promote in any manner or ways as may seem fit the continued enjoyment by all, whether members or not, of our natural water and wooded resources. "

Our Society would respectfully point out that boats do not mar or mark the landscape. They require no roads, bridges, culverts, signs or the maintenance of the same. That there have been no complaints or suggestions, at least to our knowledge, of any harmful effects on wildlife or wilderness terrain by river-boats or their operators. Our Society would respectfully point out to the Commission that boating, particularly in Willmore Wilderness Park requires up-stream travel at the very head-waters of the Smoky River. Miles of fast, shallow rapids make this virtually impossible in an un-powered or propeller driven craft. Even in the specially designed hulls it is an adventure, but an adventure into a delightfully unspoiled wilderness valley.

At the present time, in the absence of foot-paths or bicycle paths in Willmore Wilderness Park, it is only accessible to those who own, or hire horses, and then only to those qualified by youth and physical condition to walk, cycle or ride horse-back over the mountain trails. Only by our shallow-draft, powered river-boats is the beauty and remoteness of this wilderness area available to the elderly, to family units. All travel outside the boat must be by foot, of course.

IT IS THEREFORE RESPECTFULLY SUBMITTED BY THE SOCIETY THAT REFERENCE TO POWER BOATS BE DELETED FROM BILL 106 AS NOW WRITTEN, AND THE PRESENT REGULATIONS BE RETAINED, i. e. WRITTEN PERMISSION FROM THE FORESTRY DEPARTMENT BE OBTAINED BEFORE ENTERING A WILDERNESS AREA.

*Spoke on behalf of power boat operation
in W.A.'s - & on behalf of elderly citizens
who would otherwise not be able to enter
W.A.'s.*

B R I E F
to be presented at
A Public Hearing
on

Bill 106

in
Grande Prairie, Alberta
on

Wednesday August 5, 1970

by the

GRANDE PRAIRIE CHAMBER OF COMMERCE

BILL 106

AN ACT RESPECTING WILDERNESS AREA

The Grande Prairie Chamber of Commerce commends the Provincial Government for requesting the public to give its opinion on this proposed Bill.

It is the feeling of the Grande Prairie Chamber of Commerce that the intent of this Bill is very good but in order to strengthen it we would recommend the following:

- a) That the legislature, rather than the Lieutenant Governor in Council, designate new wilderness areas, add to existing ones, or delete lands from existing wilderness areas. And that any new wilderness area so designated be in perpetuity, prohibiting any form of commercialization.
- b) That it be mandatory that public hearings in future be held on all proposals affecting wilderness areas.
- c) The objectives and how to maintain them are well defined in section 4 and section 7 respectively but it would appear that legislation has already been enacted (e.g. the Pipe Line Act 1958) which could destroy all efforts to maintain a wilderness area as defined in section 4.

We therefore strongly urge the government, to set aside in perpetuity, wilderness areas which under no circumstances can be used for commercial development.

J. D. Arnott

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1970 Bill 106

Third Session, 16th Legislature, 19 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 106

An Act respecting Wilderness Areas

THE MINISTER OF LANDS AND FORESTS

First Reading

Second Reading

Third Reading

Printed by L. S. Wall, Queen's Printer, Edmonton

BILL 106

1970

An Act respecting Wilderness Areas

(Assented to _____, 1970)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as *The Wilderness Areas Act*.

2. In this Act,

- (a) "Advisory Committee" means the Advisory Committee on Wilderness Areas;
- (b) "Minister" means the Minister of Lands and Forests;
- (c) "public land" means land of the Crown in right of Alberta;
- (d) "wilderness area" means a wilderness area established pursuant to section 3.

3. (1) The public lands within the areas described in a Schedule promulgated by the Lieutenant Governor in Council are hereby established as wilderness areas.

(2) A reference in the Schedule to a township, section, quarter section or legal subdivision shall, in respect of unsurveyed territory, be deemed to refer to what would be a township, section, quarter section or legal subdivision if the land were surveyed in accordance with *The Alberta Surveys Act*.

4. Wilderness areas are established for the purpose of preserving their natural beauty and wilderness character and protecting them from impairment, settlement and industrial development, and thereby maintaining them unchanged by man for the benefit and enjoyment of the present and future generations.

5. (1) The Lieutenant Governor in Council may establish a committee called the "Advisory Committee on Wilderness Areas" consisting of five or more members, and shall designate one of the members as chairman.

Explanatory Notes

1. This Bill proposes guidelines relative to the establishment of wilderness areas of modest size in various locations throughout the Province. The Government does not intend to proceed with this Bill during this session of the Legislature, but to use it as a basis for discussions in meetings to be held throughout the Province during the year.

This will permit any individual or group who wish to make their points of view available for consideration by government for implementation in an Act to be considered at the next session of the Legislature.

2. Definitions.

3. Establishment of wilderness areas.

Should include new areas on Peace River and headwaters of Wapiti River which lie in Alberta

4. Purpose of wilderness areas.

Fairly lofty thoughts considering the polluted
Facts in both wilderness and park areas.

5. Advisory Committee on wilderness areas.

(2) A majority of the members appointed shall be persons who are not employees of the Government.

(3) The Lieutenant Governor in Council may authorize, fix and provide for the payment of remuneration and expenses to any of the members of the Advisory Committee who are not employees of the Government.

(4) The Advisory Committee shall meet at the call of the chairman.

(5) The Advisory Committee shall from time to time consider and make recommendations to the Minister for

- (a) establishing a new wilderness area, or
- (b) adding lands to an existing wilderness area, or
- (c) withdrawing lands from an existing wilderness area.

(6) The Advisory Committee shall refer any recommendations made by it under subsection (5) to the Environment Conservation Authority for its consideration.

6. The Advisory Committee shall, at least once a year or more often as required, hold public hearings for the purpose of receiving and hearing submissions and representations respecting

- (a) any recommendations made by it under section 5, subsection (5), or
- (b) any proposal made by the Minister or any other person or body of persons for the establishment of a new wilderness area or the addition of any lands to, or the withdrawal of any lands from, an existing wilderness area.

7. The Minister may carry out or cause to be carried out measures or programs in a wilderness area, or approve the carrying out by other persons of measures or programs in a wilderness area,

- (a) for the preservation of plant and animal life indigenous to the wilderness area,
- (b) for the maintenance of stable watershed conditions,
- (c) for ecological and other scientific research that does not involve any physical disturbance of the area, and
- (d) generally, for the preservation and protection of the wilderness area and for any other purpose for which wilderness areas are established.

5. (5)

- c. withdrawing lands from wilderness areas should require an act of the Provincial Government.

6. Public hearings respecting proposals for new wilderness areas and changes in existing ones.

7. Programs for preservation and maintenance of wilderness areas.

(b) excluding the building of dams within the area.

(12)

TO: Minister of Lands and Forests,
Edmonton, Alberta.

RE: Proposed Wilderness Area.

I would like to take this opportunity to express my views on the Proposed Wilderness Areas Act.

I feel that it is essential that Wilderness Areas be set aside in order to preserve part of our country in its natural state.

I also feel that the Government would be making a big mistake if they were to proceed with the Proposed Wilderness Areas Act in its present form which allows for no hunting and yet allows mineral and oil exploration interests access to the areas.

I feel the areas selected should remain ~~five~~ TRUE wilderness areas with no access to any commercial development for the following reasons:

- 1) The Rocky Mountains is a strip of terrain that only two Provinces in Canada and a few states in the U.S. have within their boundaries and within their control. I feel this is a valuable asset to our province and one which will increase in value. The money spent by tourists, hunters and fishermen coming to our province to enjoy these areas could become a significant contribution to the economy of this province. This would be on a continuing income because these areas would perpetuate themselves. This would not be true

if the Government were to allow selected commercial interests exclusive rights to the development of the area. It is doubtful that mining and oil interests would be concerned about any ^{FUTURE} aspects, except the short run capitalization of the resources.

- 2) There appears to be no doubt that extensive mineral and oil development with its associated human activities present a threat to some species of wildlife, such as, the grizzly, goat and sheep. For the sake of preserving these species some of their areas should be left unmolested and in its natural state.
- 3) Passing legislation which limits access to one special interest group, such as mineral development, gives this industry a powerful political lever which could be used to put the Government in a very vulnerable position.

I would urge the Government give very serious consideration to amending their proposed legislation to allow the establishment of true wilderness areas which would exclude all commercial developments. This legislation should allow the orderly harvest of game under a system of good game management.

I think it is important that we acknowledge the fact that we really do not know the true value of these areas to future income as recreation and hunting areas or as game conservation areas. It would be tragic

if our actions for immediate monetary gain were to
destroy forever the opportunity to perpetuate these
areas in their natural state.

Respectfully submitted:

John B. Hulne

Box 814

Fairview

BRIEF PRESENTED TO HEARING REGARDING BILL 106

With reference to section 5, subsection I.

Whereas: No provision is made for regional representation and

Whereas: No provision is made for representation with a wide variety of occupational professional or business experience and

Whereas: a minimum of five members would not accomodate these, members

Therefore I recomend the minimum ~~number~~ be nine, and they be chosen so as to represent regionally and of varied occupation.

With referrance to Section 5 Sub. Section 5 C

I recommend the Minister not have the power to withdraw land, this be done only by the legislature

With referrance to Section 6 b

The words " or the withdrawal of any lands from" be removed.

With reference to Section 9 Sub, Sec. 2C.

I recommend no operations for oil and minerals should be allowed in a wilderness area.

Therefore: ~~it~~ I recommend C. of Sub. Sec.2 be removed.

E. Kimpe



August 12, 1970.

Dr. V. A. Wood,
Deputy Minister,
Department of Lands and Forests,
Natural Resources Building,
EDMONTON, Alberta.

Dear Dr. Wood:

Please accept my personal brief in respect to the proposed bill 106, (An Act Respecting Wilderness Areas). A member of the Alberta Wilderness Association I agree entirely with the amendments they sponsor but would like to add two points which are covered herein.

Thank you for your special attention on this.

Yours Sincerely,

Robert C. Guest

Robert C. Guest,

President,

Canadian Wolf Defenders.

A BRIEF CONCERNING BILL 106

(An Act Respecting Wilderness Areas)

Presented by Robert C. Guest, President,
Canadian Wolf Defenders.

GENERAL COMMENTS.

Generally speaking, I am in full agreement with the revised Bill 106 in regard to " An Act Respecting Wilderness Areas". A member of " The Alberta Wilderness Association " I automatically support their proposed changes in the new Bill. And as founder and President of the society, "Canadian Wolf Defender" I want to make a strong stand along with others who recognize a vital need for saving what is left of our disappearing wild country. " Canadian Wolf Defenders" is now an international organization with its beginning and most of its members here in Alberta.

To most of the members in our society, the wolf is a true symbol of the beautiful remote, unspoiled country. If wolves are killed off or chased out- the same areas become symbolically sterile. When the howl of a wolf can no longer be heard back in the wild country where he belongs, it can be said that the wilderness is dead. In too many parts of North America this devastation is already beyond the point of no return. As a member of two outstanding conservation groups in this province I intend to do my utmost to see Alberta stand out as an exception, setting an example for others to follow where the interests of the people and natural environment are valued equally.

Wildlife is the essence of any wilderness setting. Where there is real wilderness - there are wolves. The two go well together.

I strongly urge the following additions and amendments to the revised bill 106 as outlined by "The Alberta Wilderness Association".

SECTION 4: (Should be expanded to include the following)

Aside from providing human recreation and sport, the purpose of a wilderness area should be expanded to include scientific and educational objectives. Real wilderness should emphasize natural habitat for all wildlife typical of the same area. Some of these should be wildlife sanctuaries where hunting would not be permitted.

SECTION 8: (this should be added)

As soon as possible, an inventory of the most available lands for wilderness areas should be made known. This should be done in time to be ahead of various commercial interests about to move in. Such an inventory should be provided for the advisory committee and public to consider at the earliest possible date.

Robert C. Guest, Canadian Wolf Defenders Society.

Per: *R. C. Guest*

R. C. Guest/

